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REPORTS

FROM

COMMITTEES:

ELEVEN VOLUMES.

—*(5.)*—

ELECTIONS:

BRIDGWATER TO HUDDERSFIELD.

Session

1 *February* —— 10 *August* 1866.

VOL. X.

1866.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

BRIDGWATER ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
8 *May* 1866.

Friday, 13*th April* 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petitions complaining of an undue Election and Return for the Borough of Bridgwater:—

The Right Hon. John W. FitzPatrick.	Joseph Alfred Hardcastle, Esq.
Ion Trant Hamilton, Esq. (Dublin Co.)	Lord Henry Scott (Selkirkshire.)

WILLIAM EDWARD BAXTER, Esq., Chairman.

Monday, 19*th April* 1866.

Ordered, THAT the Petitions and Lists relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Eleven of the clock.

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REPORT.

BRIDGWATER ELECTION PETITION.

Wednesday, 25*th April* 1866.

The House informed, that the Committee had determined,—

That Henry Westropp, Esq., is not duly elected a Burgess to serve in this present Parliament for the Borough of Bridgwater.

That Alexander William Kinglake, Esq., is duly elected a Burgess to serve in this present Parliament for the Borough of Bridgwater.

That the last Election for the said Borough, so far as regards the Return of Henry Westropp, Esq., is a void Election.

The House further informed, that the Committee had agreed to the following Resolutions:—

That Henry Westropp, Esq., was, by his Agents, guilty of bribery and treating at the last Election.

That it was proved to the Committee that John Cooze and John Staples were bribed by the payment of 10 *l.* each.

That Philip Gilbert and Frederick Jones received offers of money in order to induce them to vote for the said Henry Westropp; but that it was not proved that such bribery and treating were committed with the knowledge and consent of the said Henry Westropp.

That there is reason to believe that corrupt practices have extensively prevailed at the last Election for the Borough of Bridgwater.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, April 17th 1866.

NAMES of the Members called over;—all present.

The Committee agreed to the following Preliminary Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. That the Committee expect, that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member or his agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered to do so.

4. The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. That no person shall be examined as a Witness who shall have been in the room during any of the proceedings (with the exception of the agents, whose names shall be handed in) without the special leave of the Committee.

9. That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. That the Committee will follow the practice of the courts of law with regard to speeches, as laid down in Section 18 of the "Common Law Procedure Act, 1854."

12. That if the leading Counsel are not prepared to sum up the case on either side, when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

13. That with respect to objected votes, the Committee expect Counsel to exhaust one class of objections before proceeding to another.

Parties called in and informed thereof.

THE PETITION of *John Lovell Sealy, James Haviland,* and *James Wood Sully,* complaining of the undue election and return of *Henry Westropp,* Esq., was read.

Counsel:—Mr. *T. E. Powell,* Q.C., and Mr. *Hannen.*

Agents:—Mr. *D. Cooper,* Messrs. *Lovibond,* and Mr. *R. Fletcher.*

Counsel for the Sitting Member:—Mr. *Longfield,* Q.C., Mr. *W. H. Cooke,* Q.C., and Mr. *Campbell Sleigh.*

Agents:—Messrs. *Baxter, Rose, Norton*; Messrs. *Smith* and Son, and Mr. *John Ruddock.*

Mr. *Powell*

Mr. *Powell* opened the case on the part of the Petitioner.

The Short-hand Writer was sworn by the Chairman.

James Richard Naylor, sworn; examined by Mr. *Hannen*; put in three poll-books relative to the last election, and produced the writ and return.

John Hawkey Bingham Carslake, sworn; examined by Mr. *Hannen*.

John Cooze, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Longfield*.

Ambrose Dyer, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Sleigh*; re-examined by Mr. *Hannen*.

Sarah Cooze, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Powell*.

Robert Fletcher, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Longfield*.

John Staples, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Hannen*.

John Gough, sworn; examined by Mr. *Powell*.

Joseph Bigwood, sworn; examined by Mr. *Hannen*.

Upon the question being asked, "Will you tell us what was said about the election?"

Mr. *Longfield* objected to the question on the ground that evidence of an agent against his principal of an antecedent transaction, was not admissible.

The Committee decided that the question should not be put.

John Poles, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Sleigh*; re-examined by Mr. *Hannen*.

Jane Poles, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Longfield*.

Edward Poles, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Powell*.

Joseph Stoodley, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Sleigh*.

Henry Osborne, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Longfield*.

Anne Osborne, sworn; examined by Mr. *Hannen*.

Emma Osborne, sworn; examined by Mr. *Hannen*.

Frederick Jones, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Powell*.

John H. B. Carslake, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Hannen*.

Joseph Bigwood, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Powell*.

Philip Gilbert, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Hannen*.

[Adjourned to To-morrow, at Eleven o'clock.

Wednesday, 18 *April* 1866.

Names of the Members called over;—all present.

Richard Hurley, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*.

Thomas Webber, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*.

Joseph Reeves, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Sleigh*.

Thomas Knight, sworn; examined by Mr. *Hannen*.

John Stevens, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Sleigh*.

Frederick Charles Foster, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Sleigh*; re-examined by Mr. *Powell*.

Mary Plowman, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*.

Jane Quick, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Longfield*.

Frederick Wood, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Sleigh*.

Edward Conrad Stokes, sworn; examined by Mr. *Hannen*.

John Cruess, sworn; examined by Mr. *Powell*.

William Plowman, sworn; examined by Mr. *Hannen*.

Mary Plowman, previously sworn; examined by Mr. *Powell*.

Henry Ford, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Sleigh*.

Alfred Bigwood, sworn; examined by Mr. *Hannen*.

Room cleared.—The Committee deliberated.

Resolved, "That it is the opinion of the Committee, that they have heard sufficient evidence on behalf of the Petitioners, and will now hear the case of the Sitting Members."

Parties called in, and informed thereof.

Mr. *Longfield* was heard on behalf of the sitting Member, and proposed at the same time to enter upon the countercharges against Sir *John Shelley* and Mr. *Kinglake*.

Mr. *Powell* was heard to object to the proposed course.

Room cleared. The Committee deliberated, and decided to confine the question at present to the case of the sitting Member.

Parties called in, and informed thereof.

Mr. *Henry Westropp* (a Member of the House), sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Sleigh*.

[Adjourned to To-morrow, at Eleven o'clock.

Thursday, 19*th April* 1866.

Names of the Members called over;—all present.

Edward Lilly, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Longfield*.

John Williams Veysey, sworn; examined by Mr. *Longfield*; cross-examined by Mr. *Powell*; re-examined by Mr. *Longfield*.

William Heal, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Powell*; re-examined by Mr. *Cooke*.

Thomas Henry Boys, sworn; examined by Mr. *Longfield*; cross-examined by Mr. *Powell*; re-examined by Mr. *Longfield*.

Robert Bussell, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Sleigh*.

[Adjourned to To-morrow, at Eleven o'clock.

Friday, 20*th April* 1866.

Names of the Members called over;—all present.

Edward Stroud, sworn; examined by Mr. *Longfield*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Longfield*.

James Harwood, sworn; examined by Mr. *Longfield*; cross-examined by Mr. *Powell*; re-examined by Mr. *Longfield*.

Mr. *Sleigh* stated, that that was the case on the part of the sitting Member, and addressed the Committee on his behalf.

Room cleared. The Committee deliberated.

Resolved,—

"That Henry Westropp, Esq., was, by his agents, guilty of bribery and treating at the last election.

"That

"That Henry Westropp, Esq., is not duly elected a Burgess to serve in this present Parliament for the Borough of Bridgwater.

"That it was proved to the Committee, that John Cooze and John Staples were bribed with the payment of 10 *l.* each.

"That Philip Gilbert and Frederick Jones received offers of money in order to induce them to vote for the said Henry Westropp; but that it was not proved that such bribery and treating were committed with the knowledge and consent of the said Henry Westropp."

Parties called in, and informed of the above Resolutions.

[Adjourned to To-morrow, at Eleven o'clock.

Saturday, 21*st April* 1866.

NAMES of the Members called over;—all present.

THE PETITION of *Richard Axford, Henry Clement Heard,* and *Robert Ford,* complaining of the undue election and return of *Alexander William Kinglake,* Esq., was read.

Counsel:—Mr. *Longfield,* Q. C., Mr. *W. H. Cooke,* Q. C., and Mr. *C. Sleigh.*

Agents:—Messrs. *Baxter, Rose,* and *Norton*; Messrs. *Smith* and Son; and Mr. *John Ruddock.*

Counsel for the Sitting Member:—Mr. *Bristowe.*

Agents:—Mr. *D. Cooper* and Mr. *Henry Lovibond.*

Mr. *Longfield* opened the case on the part of the Petitioners, and entered at the same time on the charges against Sir John Shelley, who prayed the seat against Mr. Westropp, stating that should such charges be proved, it would obviate the necessity of a scrutiny on his behalf.

Counsel for Sir *J. Shelley*:—Mr. *Powell,* and Mr. *Hannen.*

Agents:—Mr. *Cooper* and Mr. *Lovibond.*

John Hawkey Bingham Carslake, sworn; examined by Mr. *Sleigh.*

James Roberts, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Longfield.*

Charles Hayward, sworn; examined by Mr. *Longfield*; cross-examined by Mr. *Powell*; re-examined by Mr. *Longfield.*

Eliza Jane Hayward, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Sleigh.*

William Heal, sworn; examined by Mr. *Longfield*; cross-examined by Mr. *Powell.*

[Adjourned to Monday next, at Eleven o'clock.

Monday, 23*rd April* 1866.

NAMES of the Members called over;—all present.

William Heal, re-examined by Mr. *Longfield.*

Henry Cook, sworn; examined by Mr. *Longfield*; cross-examined by Mr. *Powell.*

William Baldock Gilbert, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Sleigh.*

George Hooper, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Hannen.*

William Poole, sen., sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Sleigh.*

William Poole, jun., sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Sleigh.*

James Aldridge, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Powell*; re-examined by Mr. *Cooke.*

John Wescott, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Sleigh.*

Sarah Wescott, sworn; examined by Mr. *Cooke*.

George Heal, sworn; examined by Mr. *Sleigh*.

Robert Bussell, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*.

Robert Cole, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Sleigh*.

William Sellar, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*.

[Adjourned to To-morrow, at Eleven o'clock.

Tuesday, 24*th April* 1866.

Names of the Members called over;—all present.

John Henry Waddon, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Sleigh*.

Robert Bussell, previously sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*.

Frederick Charles Temblett, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*.

Charles Henry Poole, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*.

George Finner, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*.

John Henry Bingham Carslake, previously sworn; examined by Mr. *Longfield*.

John Williams Veysey, sworn; examined by Mr. *Longfield*; cross-examined by Mr. *Powell*; re-examined by Mr. *Longfield*.

Francis Hill, sworn; examined by Mr. *Sleigh*; cross-examined by Mr. *Powell*; re-examined by Mr. *Sleigh*.

Mr. *Sleigh* stated that this concluded the case on the part of the Petitioners.

Mr. *Bristowe* was heard on behalf of the sitting Member, and, at the same time, on behalf of Sir John Shelley, stating that he took this course for the convenience of the Committee, as the two cases were so closely connected that it was difficult to separate them, and to obviate the necessity of two speeches.

Mr. *Powell* stated that he did not intend, in any case, to open a case of scrutiny on behalf of Sir John Shelley.

Robert Bate, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*.

Henry Lovibond, sworn; examined by Mr. *Bristowe*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Powell*.

Eustace Barham, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*.

John H. B. Carslake, previously sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*.

Jane Badger, sworn; examined by Mr. *Bristowe*; cross-examined by Mr. *Sleigh*; re-examined by Mr. *Powell*.

Sir *John Villiers Shelley*, Bart., sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Powell*.

Paul Octavius Heythorne Reed, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Powell*.

James Cook, jun., sworn; examined by Mr. *Powell*; cross-examined by Mr. *Sleigh*; re-examined by Mr. *Powell*.

Alexander William Kinglake, the sitting Member for Bridgwater, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*.

Washington Lafayette Winterbottom, sworn; examined by Mr. *Powell*.

Mr. *Powell* made an application to the Committee to allow Mr. Benjamin Lovibond to be examined at his own house and his evidence to be taken down in writing, it having been proved by Mr. Winterbottom that he was prevented by illness from attending the Committee.

Mr. *Longfield* was heard to object.

After some discussion, Mr. *Powell* withdrew the application.

[Adjourned to To-morrow, at Eleven o'clock.

Wednesday, 25th April 1866.

NAMES of the Members called over;—all present.

Mr. *Powell* stated to the Committee that Mr. Benjamin Lovibond had been, by the permission of his medical attendant, brought down to the House, and was now in one of the rooms downstairs, but was unable to come to the Committee-room; he requested, therefore, that the Committee would adjourn to the room where Mr. Lovibond had been placed, to receive his evidence.

The Committee agreed to do so, and proceeded downstairs.

Benjamin Lovibond, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Longfield*; re-examined by Mr. *Powell*.

The Committee returned to the Committee-room.

Mr. *Powell* was heard to sum up the evidence on behalf of Mr. Kinglake (the sitting Member), and Sir John Shelley.

Mr. *Longfield* was heard in reply, upon the whole case.

Room cleared. The Committee deliberated.

Resolved,—

"That *Alexander William Kinglake*, Esq., is duly elected a Burgess to serve in this present Parliament for the Borough of Bridgwater."

"That there is reason to believe that corrupt practices have extensively prevailed at the last election for the Borough of Bridgwater."

Parties called in, and informed of the above Resolutions.

Ordered, To report the above Resolutions, together with those previously agreed to, concerning the election of Henry Westropp, Esq., to The House.

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MINUTES OF EVIDENCE.

Tuesday, 17*th April* 1866.

MEMBERS PRESENT:

Right Hon. John W. Fitzpatrick.
Ion Trant Hamilton, Esq. (Dublin County).
Joseph Alfred Hardcastle, Esq.
Lord Henry Scott, (Selkirkshire).

WILLIAM EDWARD BAXTER, Esq., Chairman.

Mr. James Richard Naylor was called in; and having been sworn, was Examined by Mr. *Hannen*, as follows:

Mr. *J. R. Naylor.*
17 April 1866.

1. Are you Clerk of the Crown?—Yes, Chief Clerk.
2. Do you produce the writ and the return to the writ for the last election for the borough of Bridgwater?—Yes.
3. Do you produce also the poll list?—Yes.

Mr. John William Hoakey Carslake was called in; and, having been sworn, was Examined by Mr. *Hannen*, as follows:

Mr. *J. W. H. Carslake.*

4. Are you the Town Clerk of the borough of Bridgwater?—I am.
5. Have you been there for some years?—For 10 years.
6. Were you so at the time of the last election?—I was.
7. Do you produce the register of electors in force at that election?—I do.
8. Do you also produce the accounts delivered in by Mr. James Trevor, the agent for Mr. Westropp?—I do.
9. Do you know his writing?—I do.
10. Do you also produce the appointment of Mr. Trevor as agent?—Yes.
11. Do you also produce a summary made out by Mr. Trevor, and signed by him?—Yes.

Cross-examined by Mr. *Longfield.*

12. You have other accounts there?—Yes, every account.
13. Will you hand in the accounts of Sir John Shelley and Mr. Kinglake?—Yes.

John Cooze was called in; and, having been sworn, was Examined by Mr. *Hannen*, as follows:

Mr. *John Cooze.*

14. Do you keep a beerhouse?—Yes.
15. At Bridgwater?—Yes, the "North Pole."
16. Were you an elector of the borough at the last election?—I was.
17. Had you been so before?—I had once before.
18. Do you know Mr. Thomas Henry Boys, of Bridgwater?—Very well.
19. Is he also an elector?—Yes.
20. I believe he is clerk to Messrs. Smith & Son, solicitors, of Bridgwater?—Yes.
21. Does he live in the same street with you?—He does.
22. Now, before the election was he at your house frequently?—He was.
23. What did he come to you for; what did he say to you when he came?—The night before the election took place he came to my house and he went out into my garden with me, and he said to me, "Jack"; I said, "Well, what do you want"? He said, "If so be that you can get some money out of the low party, I will give you 30*l.* and that money back again."
24. What party do you say?—The low party.
25. What does that mean in Bridgwater?—We always call the purple and orange the low party.
26. Does that mean the Liberals?—Yes.
27. What did you say to that?—I told him I had not made up my mind, and I did not believe that I should vote that side at all.
28. Did you see him any more that day?—Not that evening.
29. On the morning of the following day did you see him again?—I did.
30. Tell us what passed then?—He asked me if

Mr. *John Cooze.*

17 April 1866.

if I had been to poll, and I told him I had not. He said, "Stop here a bit." That was opposite Mr. Harden's, the baker's, and he went in there, and from there we went to the "Bull and Butcher," and he afterwards took me to the "Albion."

31. Did he give you anything to drink there?—I had a glass of beer at the "Bull and Butcher"; I saw some beer on the table, and I went and helped myself to a glass.

32. You did not pay for it?—I did not pay for it.

33. Then you went to the "Albion"?—I did.

34. Tell us what took place there?—He took me some way down the back of the "Albion," and he gave me two cartridges, as I call it; two pieces of blue paper; and when he gave them to me I took and opened them.

35. Did he say anything to you?—He said, "You bloody fool, why did you open them?" I said, "It might be a lot of farthings."

36. Did he say anything about what it was for?—He begged of me to give Mr. Westropp a plumper, and I said, "Vote for who I will, I shall give him a plumper"; and he came away with me, and we went to the poll.

37. You say he called you some opprobrious name; did you then look into the cartridges?—I did, and opened them.

38. What was in them?—I found it was 10 sovereigns.

39. Did you afterwards vote for Mr. Westropp?—I did, and he was along with me.

40. From the "Albion" did you go straight to the poll?—I did.

41. Did he go with you?—He went with me, and stood behind my back.

42. While you voted?—While I voted.

43. Did he say anything to you?—Nothing more than that I was to give Mr. Westropp a plumper.

44. Now, what did you do with the sovereigns?—I carried them home, and gave them to my wife.

45. Did you inform anybody at the time of what had occurred?—Mr. Dyer came up there and said, "John, I want you."

46. Never mind what he said; you gave the sovereigns to your wife?—I did.

47. Did Mr. Dyer see you give them; did he see the money which you had?—Yes, Mr. Dyer had it.

Cross-examined by Mr. *Longfield.*

48. When did you first tell this story to Mr. Lovibond?—The same day, the poll day.

49. Had he been offering you any money before for your vote?—Who?

50. Mr. Lovibond?—I had not seen the man.

51. When did you first tell this story about Mr. Boys giving you the two cartridges, to the other side?—Why, not an hour afterwards.

52. What made you tell them?—I do not know, but I did.

53. What did you get for telling them?—Nothing at all.

54. Did you do it from your pure love of virtue?—I did.

55. You did a dirty act, and then repented of it?—I do not know that I did any dirty act at all.

56. Did you take a bribe?—I took the money.

57. What did you take it for?—Because I was in want of it.

58. Had you been offered as much by the other side?—The person who gave me the 10 sovereigns offered me 30.

59. Then, why did you not take the 30?—Because I did not like to.

60. You took the 10 from him?—I took the 10.

61. And he offered you 30?—He offered me 30 if I would get five from the other side, and return him the money back again.

62. How much did the low party offer you?—I was not offered a penny by them.

63. Were you canvassed by them, or by anybody of Mr. Kinglake and Sir John Shelley?—I had rather vote for the low party for nothing than I would for them for 10 *l.*

64. Then why did not you vote for the low party for nothing, rather than take the 10 *l.*?—Well, I did not.

65. Do you say now that you would rather do it than take the 10 *l.*?—I say so again.

66. Why do you call them the low party?—It is what we always call them in our town.

67. It is a low party, and therefore you would rather vote for them for nothing than for the other side for 10 *l.*?—Well, I would.

68. Why did you not?—Well, I did not, sir.

69. Was anybody present at this conversation between you and Boys?—My daughter was along with me when he had me away to go to the "Albion," when I came out of Harden's; but my daughter never saw him give me the money.

70. Where was it he gave you the 10 *l.*?—Down at the back of the "Albion." We went right through the "Albion," and got down by the closet, and there he gave me this money.

71. How soon and where did you see Mr. Lovibond afterwards?—I saw Mr. Lovibond the same day.

72. How soon after?—It might be an hour or an hour and a-half.

73. Was Mr. Lovibond the agent for Mr. Kinglake and Sir John Shelley?—I cannot tell that.

74. Was he acting as agent for them?—I do not know; I never saw him; I have been told he went to the room.

75. What room?—Where the people were.

76. What people?—A lot of people.

77. Is it Sir John Shelley's and Mr. Kinglake's committee room that you mean?—Yes; I went there.

78. You went there immediately after voting a plumper for Westropp?—About an hour and a half.

79. Did you produce the sovereigns then that you got, and say, "Now I have done the job"?—I did not have the sovereigns then; I had given them up to my wife.

80. Were the cartridges open when you gave them to your wife?—They were broke, both of them, because how could I know but that the sovereigns were farthings.

81. Then that made you go to the committee room?—Yes.

82. You turned about, having been bribed first to vote for the other party?—No, I did not; I told them I had 10 sovereigns.

83. What did you go to the committee room for?—Well, I do not know; I was down there.

84. You went down there?—I did.

85. Who

85. Who took you down there?—Mr. Dyer was the man that took me down along with him.

86. Who is Mr. Dyer?—A gardener opposite me.

87. Was he a supporter of Sir John Shelley and Mr. Kinglake?—I think he was.

88. Was it to him that you first mentioned about the 10 *l.*?—I cannot say to whom I told it first.

89. Did you tell them in the room about the 10 *l.*?—Yes, I did.

90. Did anybody in the room ask you to get back the 10 *l.* and the cartridges, and say that they would give you the same money for them?—They might do that.

91. Did they desire you to go and bring them the 10 *l.*?—No; and I did not go.

92. Did Mr. Lovibond take down your statement in writing?—I believe that was took down. I did not see that Mr. Lovibond did it.

93. Of what profession is Mr. Lovibond?—An attorney, I believe.

94. Was he not very active throughout the election for Mr. Kinglake and Sir John Shelley?—Well, I do not know; he might.

95. Did you not see him very active during that election?—To tell you the truth, I do not know that I saw Mr. Lovibond at all, until I went there, above once.

96. What other committee rooms had Sir John Shelley and Mr. Kinglake in the town?—I do not know that there was any one, to the best of my knowledge.

97. What open houses had they for refreshments?—Well, I do not know; I had a share of a pot of beer, and that I was forced to pay for.

98. Where was that?—At the "Albion."

99. Did you go to any of the other committee rooms?—I did not.

100. What have you got for coming to London?—I do not know what I am to have.

101. What have you been promised?—I have been promised nothing.

102. You came up gratuitously here to tell the committee all this?—I came up for to tell the truth.

103. Did you always vote for the low party or for the Conservatives?—Yes.

104. Do you remember the election of 1859?—Very well.

105. Were you engaged in that?—Yes.

106. Did you get into a row there?—There was a bit of a screw loose about that.

107. Were you put in prison for your share in that screw?—Not put in prison.

108. Yes?—No, I was not.

109. Were you not put in prison for your share in the row in any election?—No.

110. Never?—Never.

111. Were you ever in prison?—I was never in prison.

112. In order to bring it to your recollection, do you remember Mr. Bowen standing as a candidate?—I never knew him stand as a candidate.

113. Were you put in prison in connection with a row?—No, I was not put in prison at all.

114. Never?—Never.

115. Do you know a man of the name of Andrew Allen?—Very well.

116. A packman and a toy dealer?—Yes; very well.

117. Did you owe him any money?—I am not sure; I do not know what my wife owed him, or whether she owed him anything or not.

118. Did you or your wife owe him anything?—Not that I know of.

119. Did you not owe him the sum of 28 *l.*?—No.

120. Did you give a security upon your chattels in the house for that sum?—No, not so much as that.

121. How much?—About 14 *l.*, I think it was; but that has got nothing at all to do with the election concern.

122. Have you paid him that money?—I do not know.

123. You do not know whether it was paid him or not?—No.

124. Did he promise to forgive you?—No.

125. And you do not know whether you paid him or not?—No.

126. Had you any conversation with Allen about this bill of sale?—Not me.

127. Had your wife?—That I left out. My wife will be here by-and-bye to speak for herself.

128. Had your wife any conversation with Allen about this money?—I tell you not a word.

129. Mr. *Powell.*] In your presence?—No.

130. Mr. *Longfield.*] Did you pay Allen the money you owed him?—I was never the man to pay the money; I always allowed my wife to do such a thing as that.

131. Do you know at this moment whether it is paid or not?—I do not.

132. Did he make your wife, in your presence, any offer about it?—Not in my presence.

133. Did your wife tell you that he did?—No.

134. Do you remember the election in the year 1859?—Very well.

135. For whom did you vote then?—The low party.

136. What did you get?—I believe I had a sum of 10 *l.* from the low party then.

137. Perhaps you had something from the high party too?—I never took a penny from the high party.

138. You took it from the low party in 1859?—I took it myself of the low party.

139. You did not vote for them for nothing?—I told you I had 10 *l.*; a friend gave me 10 *l.*

140. Now, did you ever state that it was a man of the name of Stroud that gave you the money?—No, I did not.

141. Never?—Never.

142. Or a man of the name of Dyer?—No.

143. Never?—Never.

Re-examined by Mr. *Powell.*

144. You have been asked who was the first person you told this to; did you meet Mr. Dyer after you had got the two packets?—I did.

145. Is Mr. Dyer one of the low party?—Yes.

146. Did he take you to the committee room?—He took me to the committee room.

Mr. *John Cooze.*

17 April 1866.

Mr. Ambrose Dyer, Sworn; Examined by Mr. *Hannen.*

Mr. *A. Dyer.*
17 April 1866.

147. Are you a Nurseryman and Seedsman at Bridgwater?—I am.

148. Are you an elector of the borough?—I am.

149. Do you live opposite the last witness, John Cooze?—I do.

150. On the morning of the poll day, did he come into your shop?—He did.

151. You had some conversation with him about the election?—I had.

152. Afterwards, later in the day, did you see him?—I did.

153. Did you learn from him that he had voted for Westropp?—I did.

154. Did he make a communication to you on the subject of a bribe?—He did.

155. What did he tell you?

Mr. *Longfield* objected to the question.

Mr. *Powell* was heard in support of the question.

The *Chairman* stated that the question should be allowed to be put.

156. Now, did he make a statement to you?—He did.

157. What did he say?—He said he had been voting against his conscience for Westropp, and he began to cry to me, and he had been doing so before, I believe.

158. I asked you whether he said anything about a bribe?—He did.

159. What did he say?—He said he had 10 *l.* given him.

160. Did he say where he had received it, and from whom?—He did.

161. Tell us what he said?—He told me he had it from Thomas Boys, Mr. Smith's clerk.

162. What did you do thereupon?—I took him immediately down to Mr. Kinglake's committee room.

163. What occurred there?—There he gave a statement precisely the same as he told me first.

164. Did you then go down to his wife?—I did.

165. Did you get the 10 *l.* from her?—I did.

166. Did you take the 10 sovereigns back to the committee room?—I did.

167. Did you mark them?—I did.

168. Have you kept them ever since?—No, I have not.

169. To whom did you give them?—I gave them to Mr. Lovibond's clerk; I saw them sealed up.

Cross-examined by Mr. *Sleigh.*

170. You saw what sealed up?—The 10 sovereigns.

171. Was that before you went to his wife?—No, after.

172. They appeared to be sealed up in a parcel in paper, did they?—No, not when I had them from his wife; she took them from her pocket.

173. In what state were they; in paper. sealed up?—No, they were loose; Mr. Lovibond's clerk sealed them up after I had put a private mark upon them.

174. Where was it that you saw Cooze when he made this statement to you?—In his own house.

175. The morning of the election?—Yes, directly after he had been to poll.

176. Do you mean that you went to his house?—Yes, his house is just opposite mine.

177. Did you know that he had polled?—I did not until he told me.

178. You did not know that his vote had not yet to be recorded?—I did not know anything about it until he told me that he had been to the poll.

179. At the time you went to his house you did not know that his vote was yet unrecorded?—I did not.

180. Then it was, if I understand you, that he told you he had voted?—Yes.

181. Have you known this Mr. Cooze during many years?—Yes, I have known him for five or six years.

182. He is a gentleman who, I believe, has invariably voted?—I do not know, indeed.

183. Do you mean to say you do not know how he has voted upon former occasions?—I recollect his voting once before. I am not a native of Bridgwater.

184. Was that the election of 1859?—I think it was.

185. Which way did he vote then?—He voted for the Liberals, I know.

186. Did you poll him?—No.

187. Were you present when he polled?—No.

188. Do you know anything at all about the circumstances under which he polled?—No, I do not.

189. Is that the election at which there was a riot, and Mr. Bowen's house was attacked; do you remember that?—No, I do not; that was long before my time.

190. Mr. *Powell.*] It was 30 years ago?—And I have not been in Bridgwater 12 years yet; you are going too far back for me.

191. Mr. *Sleigh.*] Now, just tell me, in reference to Mr. Kinglake's and Sir John Shelley's election, whether they had open houses?—I never heard of one.

192. Just let me try and refresh your memory; do you mean to say that they had not committee rooms at public houses in the town?—Not to my knowledge.

193. If I am rightly informed, you took an active part in this election?—I was in no public house committee room during the election, neither before nor after.

194. You were a very active partisan of Sir John Shelley and Mr. Kinglake?—I supported them, and so I should again.

195. You know the "Bridge Hotel," kept by Heal?—I believe there is such a place, but I never was in it in my life.

196. Do you live in Bridgwater?—Yes.

197. You are a voter there?—Yes.

198. Do you mean to tell me that you only know that there is such a place as the "Bath Bridge"?—That is all I know about the house; I never was in it in my life.

199. Do you know it is kept by Heal; do you know him personally?—I believe he is a milkman now, but I think I have heard that he did keep this house, but I never was in the house in my life.

200. Do you know Mr. Phelps's house, the "Commercial Hotel"?—I do.

201. Had

Mr. *A. Dyer.*

17 April 1866.

201. Had not Mr. Kinglake and Sir John Shelley a joint committee room there?—Not to my knowledge.

202. Were not in the windows of the first floor placards and the colours, orange and blue, hanging out of the window?—Not to my knowledge; I never was in the house during the election.

203. That is a matter which you would be acquainted with without going into the house?—I cannot speak to that; I do not know.

204. Do you not remember the banners and flags and the colours of Sir John Shelley and Mr. Kinglake hanging out of the windows?—There might be, but I never took any notice; it is quite in a different part of the town to that in which I reside.

205. Which is yours, the eastern part?—The northern part.

206. During the election, you must have gone through various parts of the town?—Perhaps I might, but I did not take any notice as to its being a committee room.

207. Are we to understand from you, an active partisan of Mr. Kinglake and Sir John, that to your knowledge there were no committee rooms in all Bridgwater?—I am certain there was in all Bridgwater, but not to my knowledge in this house.

208. Not at the "Commercial Hotel"?—No.

209. Do you know the "Fountain," kept by Crocker?—Yes.

210. Was there a committee room there?—Not to my knowledge.

211. Perhaps you will save yourself and me trouble, by telling us where the committee rooms were?—At a private house whenever I met in a committee.

212. Which private house?—Where Butcher Stone used to live; that is the only committee room that I know of.

213. Was that the house in which the committee usually held their sittings?—Yes.

214. Now of whom was the committee constituted?—The principal part of the tradesmen of the town.

215. Mr. Lovibond was there, I suppose, almost always?—No, he was not.

216. He was there frequently?—I do not recollect his being there above once or twice at the outside.

217. Mr. Lovibond is the solicitor for the other side?—I know Mr. Lovibond very well.

218. Do you know Mr. Benjamin Lovibond?—Yes.

219. Was he one of the persons who was there occasionally?—He was there once, I believe.

220. Was Mr. Cook, junior, one of them?—Well, I do not recollect ever seeing Mr. Cook there at all; sometimes the room was crowded.

221. You know the principal people of Bridgwater better than I do, and you might as well help me; if you will not, I must try and help you. You say you do not remember Mr. Cook?—No, I do not.

222. Do you know Mr. Wilton?—Yes.

223. Was Mr. Wilton one of them?—I might have seen Mr. Wilton there, but I cannot be positive with respect to that.

224. Besides these gentlemen when you attended this committee room, did you see Sir John Shelley there?—Never.

225. Or Mr. Kinglake?—Never.

226. Where were they?—I am sure I cannot tell; it was not my business to know where they were.

227. Do you mean to tell the Committee that while this election was proceeding, you did not see these gentlemen, or either of them, at various times?—I saw them on the hustings, and I saw them in the town once or twice, but as for seeing them in any committee room, I never did.

228. Was Mr. Reed there?—No, I am sure he was not; Mr. Reed, of Burnham, I suppose you mean.

229. I mean Mr. Reed, the solicitor; was he there occasionally?—Upon my word, I cannot say whether he was or not.

230. You know him to be one of the supporters of Mr. Kinglake and Sir John Shelley?—I really would not say whether he was there or not; I cannot recollect, because sometimes the room was crowded.

231. Do you know Mr. George Sully?—Yes.

232. Was he amongst those who occasionally assembled there?—He might have been, but I would not swear whether he was or was not.

233. There are several people whom I have mentioned; will you be good enough to give me some names which I have not mentioned?—I really cannot tell who was there.

234. When were you usually there, in the day or the evening?—Not until the evening.

235. What was usually going on there, talking about the election?—Yes; the same as there would be at any other election.

236. Do you know the committee room in the High-street?—I do not recollect that there was any committee room there.

237. Do I understand that during this election you did not see banners about, with the colours of the Liberal party, orange and blue?—Yes, but there was a great many more blues than orange ones; I know which was placed first for a good while.

Re-examined by Mr. *Powell.*

238. About this committee room, as you call it; did you ever see anything going on there, except that the electors met together to talk of an evening?—Nothing in the world; there was never a private meeting; it was open to any person.

Mrs. Sarah Cooze, sworn; and Examined by Mr. *Powell.*

Mrs. *S. Cooze.*

239. You are the wife of the Witness, John Cooze?—I am.

240. Do you remember the last election at Bridgwater?—I do.

241. Do you remember your husband going to the poll and coming back again?—I remember his leaving my house about eight in the morning, and returning at ten or soon after.

242. You remember his going out and coming back, but where he went to you don't know?—No.

243. I must not ask you what he said, but did he produce anything to you when he came back?—He did.

244. What was it?—Ten sovereigns.

245. What did you do with them?—I took

Mrs. *S. Cooze.*
17 April 1866.

them from him, and put them in the cupboard, and locked the door.

246. Did you afterwards see Mr. Ambrose Dyer?—I did.

247. Did you give him anything?—My husband and he came back together, and my husband asked for the money; I refused to give it to him, and words took place, and he threw himself into a tantrum, and so I went and unlocked the door, and took the money out.

248. Who did you give it to?—Mr. Dyer wanted it, but I refused to give it up without having more for it, and he went home and fetched me 10 *l.*

249. You refused to part with it until you got something in exchange?—Yes.

250. And he brought you ten sovereigns, and you handed over to him the ten sovereigns that your husband had given you?—I handed it over to him, but Mr. Dyer gave me first ten sovereigns, in sovereigns and half sovereigns.

251. Do you know Mr. Boys?—I do very well; he is an intimate acquaintance of mine.

252. Had he been at your house previously to the following day?—It is not an unusual thing for him to do that; he has been often at my house.

253. Had you seen him previously to the following day there?—Oh, yes.

Cross-examined by Mr. *Longfield.*

254. What time did Mr. Dyer come to you that day?—Well, he came shortly after my husband was home, and my husband went away with him, and was gone, I might say, an hour; I could not say to a little time, for I did not take any notice of it, as I had no interest in the matter at the time; but he was gone a considerable time, and then Mr. Dyer and my husband, and Mr. Cook, the solicitor, came back again.

255. Is that Mr. Cook, junior?—Yes, he is a partner with Mr. Reed now.

256. He was agent for Sir John Shelley and Mr. Kinglake?—I don't know anything about that.

257. The three came back together?—Yes, and Mr. Crocker, of the "Lamb," was with them at the time.

258. Then what took place?—Then when they came back my husband demanded the money from me. I refused to give it up until there was blows going to pass, and then I gave up the money.

259. Upon getting 10 other sovereigns?—Yes.

260. Did you get anything more?—No more than the 10 *l.* I gave 10 whole sovereigns and got 10 sovereigns in half sovereigns and sovereigns; not all sovereigns.

261. They left you then?—Yes, they did.

262. How were the sovereigns when your husband gave them to you?—He took them out of his pocket; I cannot say whether it was his waistcoat or his trouser's pocket, but I believe his trousers.

263. Were they in a parcel?—No.

264. You did not see any paper, either white or blue?—I did not.

265. Had your husband been canvassed to vote for Sir John Shelley and Mr. Kinglake?—Mr. Kinglake and Sir John Shelley came round in the same manner as Mr. Westropp did, but my husband was not at home and did not see them.

266. Was he canvassed by any other person on their behalf?—No.

267. Had Mr. Westropp canvassed him?—Mr. Westropp came.

268. Did he see your husband?—That I do not know.

269. Did he see you?—He did.

270. Did he ask you for your husband's vote?—Yes.

271. What then?—I told him I did not expect he would come to my husband after his serving him such a dirty trick at the last election.

272. What was that?—He received 10 *l.* of Mr. Westropp's money and never voted for him.

273. Your own husband did?—He did.

274. And did not vote for him then?—He did not.

275. Did he receive 10 *l.* of any other person's money?—No, not to my knowledge.

276. At any election?—No, he never had but two votes.

277. Did he not, in 1859, receive money from both sides?—No. My husband, if he only has a shilling, brings it home and gives it to me, and if he had I should have seen it.

278. He received 10 *l.* and voted for the Liberals?—He voted for Tynte and Kinglake, after having received 10 *l.* of Mr. Westropp's money.

279. Did he ever tell you that it was from the low party that he got it?—I can swear it was from the blues.

280. Would you believe your husband if he swore it was from the low party?—It was to me they gave it, and not to my husband.

281. Would you believe that your husband had had 10 *l.* from the low party in 1859?—If my husband had had it, I should have had it.

282. Would you believe if he stated it?—If he stated it, and gave me the money, I should believe it.

283. Unless he gave you the money you would not believe him?—No, I would not.

Re-examined by Mr. *Powell.*

284. You say you received this money in 1859?—I did.

285. Who did you receive it from?—From John Morris, at the "Albion Inn."

286. The landlord of the "Albion Inn"?—Yes.

287. Does he keep the "Albion" now?—No. He made his fortune at the last election.

288. Then all your husband knows about that is what you told him?—Yes.

Mr. ROBERT FLETCHER, sworn; Examined by Mr. *Hannen.*

Mr. *R. Fletcher.*

289. WHAT are you?—I am Clerk to Mr. Benjamin Lovibond, solicitor.

290. Did Mr. Dyer, on the morning of the election, give you 10 sovereigns?—He did.

291. Were you present when Cooze made his statement before the Committee?—I was.

292. You heard what he said upon the subject?—I did.

293. Have

293. Have you kept those sovereigns ever since?—I have.

294. And you have them in your possession now?—I have.

Cross-examined by Mr. *Longfield.*

295. Were you in Mr. Lovibond's employment at the election?—Oh, yes; I have been in his employment for many years.

296. Mr. Henry or Mr. Benjamin Lovibond?—Mr. Benjamin Lovibond.

297. Was he employed during the election as agent for either Sir John Shelley or Mr. Kinglake?—He was not an agent.

298. Was he a very active partisan?—No, he was not.

299. Did he canvass with them daily?—No, not daily.

300. Or at all?—He did go with them on one occasion, and only on one occasion, to my knowledge.

301. Was he not always the agent of the Liberal party at Bridgwater?—I do not know that he has ever been an agent, to my knowledge. He was a partisan, certainly.

Mr. *R. Fletcher,* 17 April 1866.

302. Was he a voluntary agent or a partisan?—A partisan.

303. An active partisan?—A partisan; I do not know that he was an active one.

304. Was there a room at Mr. Lovibond's house in which the friends of Sir John Shelley and Mr. Kinglake met frequently?—The friends met there, I will not say frequently, but on three or four occasions.

305. At Mr. Lovibond's house?—At his house.

306. Name some of the men who met there?—Mr. Henry Lovibond was one that I remember, and I remember Mr. Bate and Mr. James Sully.

307. Do you remember Mr. Eustace Barron there?—I do not remember seeing Mr. Barron only once.

Mr. *Powell.*] It may be convenient for the Committee to know that that finishes the evidence as to the case of Cooze.

Mr. JOHN STAPLES, sworn; Examined by Mr. *Hannen.*

308. ARE you a master mariner and part owner of a vessel at Bridgwater?—I am.

309. Were you an elector of the borough at the last election?—I was.

310. On the morning of the poll were you in Fore-street?—I was

311. Did some one come up to you and address you?—Yes.

312. What did he say to you?—He told me to follow him.

313. What sort of person was it?—A man with a speckly-coloured hat, and blue ribbons, and rather pock-marked.

314. Now what did you say to him?—He asked me to follow him in Fore-street, and I followed him up until I came to the water-closet in the market.

315. Was anything said to you about voting? Not before we got up further. He asked me who I was going to vote for.

316. What did you say?—I said I would vote for Westropp if there was any chance.

317. What did he say to that, or what did he do?—After I had stopped there a bit, by the water-closet, he took out a piece of paper with something in it, and he said "that is ten."

318. Was that after you had said you would vote for Westropp if there was any chance?—Yes.

319. Did you then look in the package and see what there was?—I did not.

320. What did you do then, did you vote or go with him?—I went into the "Clarence Hotel."

321. Did you there look in the package?—I did not.

322. Where did you look into the package?—When I went home.

323. What did you find inside?—£. 10.

324. What did you do with the 10*l.*?—Put it in my drawer, upstairs.

325. What have you done with it since?—I gave it to Mr. Wilton.

326. Was it fastened up in your presence?—Yes, and my name is on it.

327. How did you vote?—For Westropp, a plumper.

Cross-examined by Mr. *Longfield.*

Mr. *J. Staples.*

328. Did you ever see this man who gave you the 10*l.* before or since?—I have seen him since.

329. Who is he?—His name is Stroud. He used to keep a chemist's shop opposite the cattle market, and now he keeps a public house down at Burnham.

330. Did you know him before?—I did not.

331. Have you seen him frequently since?—I have.

332. Are you positive that that man who gave you the 10*l.* was Edward Stroud?—I am.

333. Did you ever say that you got this 10*l.* for freight, that you had earned as a master mariner?—I did not; the other party wanted me to say so.

334. Did you ever say so to anybody?—No, I did not.

335. Did you ever say that you got it from anybody but Stroud?—No, I did not; they wanted me to say so.

336. Did you ever say that you had earned it as a mariner?—No, I never earned the money in regard to freight.

337. How soon after the vote did you tell any person that you had got the money?—In five minutes.

338. Who did you tell that you had got this money?—John Gough.

339. Was that before you voted?—It was after I voted.

340. Was the money made up in any parcel?—It was.

341. Did you give it up to Gough in the parlour?—I did not.

342. Who is John Gough?—He is a shipbuilder, of Bridgwater.

343. How soon after getting the money did you go and vote?—I cannot say exactly; it might be five minutes.

344. Was anybody present when you stated that you had got the money from Stroud?—Not that I am aware of.

345. Had you seen Stroud before?—Not until I came up there.

Mr. *J. Staples.*
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346. Was he a resident in the town?—He was; at least so I have been given to understand since; but I did not know him at the time.

347. Had you known him by appearance before?—No, I did not, or else I should not give the colour of his hat, and the description of his dress.

348. Do you know a person of the name of Robert Bussel?—I do.

349. Did you ever say in his presence, that this 10*l.* you got you had earned?—I did not.

350. Do you know a man of the name of Merson?—I do.

351. Did you ever state in his presence, that you had earned it, and that it was paid to you?—No.

352. Or anything to that effect?—Not to the best of my knowledge.

353. Could you have made that statement without your recollecting it?—Not that I earned it.

354. Or that you had got it as freight, or anything to that effect?—I did not. They came to the house many times, and wanted me to state that I took it as my freight, but how can I take two 10*l.* notes for my freight and take cash, if the other was all in gold?

355. Did you ever state that you got it as freight?—No, but they wished me to do so.

356. If they wished you to do so, can you now tell the Committee if you said you had or said you had not. You must recollect the circumstance?—Oh! certainly.

357. Did you make a statement that you had got it as freight?—No, I said when I came to London the proof of the pudding will be in the eating.

358. Did you say it to them that you had the 10*l.* for freight?—They were at me all day long to know if I got it for freight, but I said, when I came to London I would speak the truth, and nothing but the truth. I did not come to London, as you seem to think, to tell a parcel of lies.

359. To whom did you give the money?—To John Gough. He came up, I cannot say to the hour, but it was before dinner, and I marked this money, one cross that way and another cross there, and two crosses on the other side.

360. Did you ever give it to a man of the name of Wilton?—I did; I told you so.

361. What had Gough to do with it, was he present with Wilton?—Yes, he was.

362. Did you ever try to get it back again, and get a summons?—No; my wife wanted to, but I never had a farthing.

363. Did you go before the magistrates, and state that Wilton had taken it from you?—I did not.

364. Did you go before the magistrates at all?—I did not.

365. Did you go before the magistrates' clerk to get a summons?—No, I did not.

366. Did you go with your wife?—No.

367. Did you ask for a warrant?—No.

368. Did you go to the magistrates' clerk at all with your wife?—No.

Re-examined by Mr. *Powell.*

369. You say that Gough was present, and marked some of these sovereigns?—We marked them all.

Mr. John Gough, sworn; Examined by Mr. *Powell.*

Mr. *John Gough.*

370. Are you a shipbuilder at Bridgwater?—I am.

371. Do you know the last witness, Staples?—I do.

372. Do you remember being present when he made the statement, and receiving any money?—I do.

373. We understand that the money was marked?—It was.

374. How much was it?—Ten sovereigns.

Mr. Robert Fletcher, recalled; Examined by Mr. *Powell.*

Mr. *R. Fletcher.*

375. You received the ten sovereigns, we understand, that were marked by Mr. Gough?—No, I did not receive them; they were not handed to me.

376. Who were they handed to, then?—They were handed to Mr. George Wilton.

377. Were you present?—I was present.

378. Have you got them?—No, I have not got them.

379. Where are they?—They are in the possession of Mr. Wilton.

380. But you saw them handed to Mr. Wilton?—I did.

Mr. John Poles, sworn; Examined by Mr. *Powell.*

Mr. *John Poles.*

381. Do you live at Bridgwater?—Yes.

382. Are you an elector of the borough?—Yes.

383. Now, I believe that you had been canvassed, and had promised to vote for Mr. Kinglake and Sir John Shelley?—Yes.

384. Do you remember the polling-day?—Yes.

385. Did anybody call upon you in the morning of that day?—Yes.

386. At what time?—Between six and seven o'clock in the morning.

387. Who was it?—Francis Sprouting and John Brown.

388. Did they ask you to do something?—Yes.

389. Then did they go away?—Yes.

390. I suppose they said something to you, and you to them?—Yes.

391. After they had gone away did two other persons come to you?—Yes.

392. Tell the Committee who those two persons were?—Mr. Edward Stroud, the druggist, and Mr. Henry Harwood, the baker.

393. What

393. What did they say to you?—They said, "What are you going to do"?

394. What did you say?—I said, I would vote for Mr. Westropp and Sir John Shelley.

395. What did they say?—They said, that would not do; that I must vote for Mr. Westropp alone.

396. What did you say to that?—I said I wanted a friend.

397. What did they say?—They said, "Come to the 'Bull and Butcher' with us," and I said I could not go in the clothes that I was in, that I wanted some clothes.

398. What did they say?—They said, "If you will not go with us now, will you wait 10 minutes"? I said, "yes;" and they said, "Do not go with anyone else if they come after you. I said, "No, I will not."

399. You promised to do so, and did they then go away?—Yes.

400. Now, after they had gone away, did the same John Brown, who had been at the early part of the morning, come to you?—Yes.

401. Did you go with him anywhere?—To the "Bull and Butcher."

402. Is there a back yard at the "Bull and Butcher"?—Yes.

403. Did you go there?—Yes.

404. Into the back yard?—Yes.

405. Where did you go then; did you go into the house?—Yes.

406. Did you have anything to drink there?—Yes.

407. What?—A glass of gin.

408. In the meantime had your son joined you?—My son was with me and had a glass of beer.

409. His name is Edward?—Yes.

410. Was there a person named Jones there?—Yes.

411. When you had had your gin, and your son the beer, did Jones say anything?—He asked me to come on.

412. What did you say?—I said, not yet; I should not go yet until I had got something.

413. Did you then leave the inn, or did he say anything further?—He said, would I wait 10 minutes, and I said, yes, and he went away and came back again, and said, "Come on."

414. Did you leave the inn with him, and did your son follow you?—Yes.

415. Where did you go to?—To Mr. Frederick Harden's, in the churchyard.

416. Who is Mr. Harden?—A baker.

417. Is he the same person who had called on you in the morning?—No.

418. It was Harwood who called in the morning?—Harwood and Stroud.

419. You went to Harden's, you say, and he was a baker?—Yes.

420. Where did you go to?—Into a little room facing the churchyard.

421. Is it a front or a back room?—A back room.

422. Was your son allowed to go into the room?—No.

423. When you went into the room was the door open, or shut, after you went in?—After I went in it was shut.

424. Who did you see in the room?—Jones went in with me, and then there was a door opened, and Mr. Harden came out.

425. What did Mr. Harden do or say?—He did not say anything; he gave me two packets.

426. Did you then leave the room?—Yes.

427. Was your wife and your son waiting for you outside?—Yes.

428. Where did you go to when you left the room?—Went to the polling-booth.

429. Did you poll?—Yes.

430. Who for?—Mr. Westropp.

431. A plumper?—Yes.

432. When you came away from the polling booth, did you hand anything to your wife?—Yes.

433. What did you hand to her?—One packet.

434. Did you and your wife, and your son, then go to the "Bull and Butcher" again?—Yes.

435. What did you do with the other?—I let my son have it.

436. At the "Bull and Butcher"?—Yes.

437. Did you remain at the "Bull and Butcher" for some time?—Yes, to have some refreshment.

438. Were there other persons there?—Not having anything to do with me.

439. But were there other persons there?—There were other persons in the room.

440. What were they doing?—Drinking.

441. Who were they; were they Bridgwater people?—Yes.

442. Do you know whether they were voters or not?—Yes, they were voters.

443. Did you see Mr. Stroud there?—No.

444. You say you had some refreshments; did your son change one of the sovereigns that you had received from Harden?—He opened the packet, and I said to him, "Keep one of them, and give your mother the rest," and he gave his mother four sovereigns out of it.

445. He opened the packet, took a sovereign out, and gave the rest to your wife?—Yes.

446. So that she had nine of them?—Yes.

Cross-examined by Mr. *Sleigh*.

447. Where was it that you gave your son the packet?—At the "Bull and Butcher."

448. In the house?—Yes.

449. You were in the back room of the house, opposite the churchyard?—Yes.

450. That is where you got the money, you say?—Yes.

451. Then you went from there to the "Bull and Butcher;" is that so?—When I had the money I went from Harden's to the "Bull and Butcher."

452. And from the polling booth you then went to the "Bull and Butcher"?—Yes.

453. Was it at the "Bull and Butcher" that you gave your son the sovereign?—Not the sovereign; I gave him the packet.

454. You gave him one packet?—Yes.

455. Just tell me how many packets you had altogether?—Two.

456. Were they each wrapped in a piece of paper?—Yes.

457. What colour paper?—Whited-brown.

458. You gave one to your son, and the other you kept?—No.

459. What did you do with it?—I gave my wife one packet.

460. Where was she when you gave your son the packet?—She was in the house.

461. Who was in the room where you say you were

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were given this money, when you were given it?—Mr. Jones and Mr. Harden.

462. After passing through one room and going into a further room behind, you found Mr. Jones and Harden?—No; I only passed into one room.

463. When you went into that room, did you find Jones and Harden?—There was no one in the room when I went in but me and Jones.

464. Then did Mr. Harden come in?—Yes.

465. Mr. Jones saw Mr. Harden give you these two packets?—Yes.

466. That there is no doubt about?—No doubt at all.

467. How soon after the election did you tell anything to anybody about this?—The same day.

468. To whom did you give any account of this matter that you have told the Committee to-day; who was the first person you spoke to about it?—No one but my son and my wife.

469. They are here, of course?—Yes.

470. Now, besides your son and your wife, to whom else did you mention this matter, the same day, if anyone?—To no one.

471. How soon afterwards did you mention the matter?—Not at all.

472. Is this the first time that you have given any account of this transaction between you and Mr. Harden and Mr. Jones?—I gave my evidence.

473. Some one, I suppose, took down what you had to say?—Yes, Mr. Fletcher.

474. How soon after the election was it that you told Mr. Fletcher?—It might have been a week or 10 days.

475. How came it to pass that you told Mr. Fletcher about this matter; who went after you to ask you about it?—I do not know.

476. You cannot very well forget that; who was it that first came to you and spoke about it; perhaps you went, yourself, without ever being asked by anybody; did you?—No.

477. I do not want to hurry you, but you must know how it was that you told this story that we hear to-day, a week afterwards, you say, for the first time, to Mr. Fletcher?—Yes.

478. How did that happen; was it that he came for you?—No; I believe it was my son that told about this money.

479. But you went to Mr. Lovibond, and Mr. Fletcher took down in writing what you had to say a week afterwards; I want to know how that came to pass?—I and my son went.

480. You and your son were together at the time when you made the statement to Mr. Fletcher?—Yes.

481. How came it that you went to Mr. Fletcher's at all about this matter; who asked you to go to Mr. Fletcher; I suppose you did not go there without being asked, or did you go to Mr. Fletcher without being asked by anybody to go?—Yes.

482. You did?—I cannot say exactly.

483. Now attend to me; you took two packets of sovereigns, as you told us, as a bribe, I suppose, against your conscience, or how was that?—They came to me and asked me to vote for Mr. Westropp.

484. Then you think your vote is a matter you can sell like your hat or your coat?—I do not know.

485. Is that your own notion of the use you may make of a vote, and of the way in which you may exercise the privilege of voting, that you may sell it as you would your coat or hat?—I do not know.

486. I really must know; it would be refreshing to me to know, what is your notion of the mode in which you may dispose of the privilege of voting; is it your opinion that it is all right and proper to give it to whoever asks you and pays you for it; now you can give me an answer, yes or no, to that?—I never had a vote before; I am not aware of what voters are.

487. It is the first time you ever exercised the privilege of voting?—Yes.

488. You remember the Orange and Blue party?—Yes.

489. Were you asked to vote by any of that party?—I went and gave Sir John Shelley and Mr. Kinglake the promise of my vote; I was sent for by them.

490. Did you promise you would vote for them?—Yes.

491. How long before the election did you promise them that?—Two or three days.

492. Who was it asked you to vote for them?—Those gentlemen; they had been to my house, but I was not home at the time.

493. But you afterwards saw them, I suppose?—Yes.

494. Now, having promised them that you would vote for them, according to your story to-day, you afterwards sold your vote for 10*l.*?—Yes.

495. That is a matter of which, I dare say, you do not feel at all ashamed?—No.

496. And, I dare say, if you had another vote to sell afterwards, you would have sold it for 10*l.* to the other side?—No.

497. Why not; you are not at all ashamed of it, and you were glad to get the 10*l.*?—Yes; I wanted the money.

498. And if you could have got another 10*l.* for another vote, if you wanted the money, you would have taken that too?—No.

499. Why not?—Because that would not be fair play.

500. Just let us have your notion of fair play; do you think it is fair play to pledge yourself, as a man, to two gentlemen that you will vote for them, and then take 10*l.*, and then go and vote for two others?—I only voted for one other.

501. During the election, did you go to the various committee rooms?—No.

502. To none of them?—No.

503. On neither side?—No.

504. You did not visit any of them?—No.

505. Where did you breakfast on the morning of the polling day; did you breakfast at one of the houses that were open?—No.

506. At your own house?—Yes.

507. While you were at Harden's, where was your wife and your son?—Outside the door.

508. In the street?—In the churchyard.

Re-examined by Mr. *Allen.*

509. Does the churchyard adjoin Harden's place?—Yes; there is a bit of pavement between the churchyard and Harden's.

510. You have been asked how it was you came to go to Fletcher, and you said something about your son which you did not finish; what were you saying about your son?—Mr. Bussell met my son in the afternoon, and asked him if I had not had some money.

511. Did your son say something about some one

one having spoken to him?—Not all; afterwards.

512. Was it not in consequence of something that your son said to you that you went to Fletcher's?—Yes.

513. You had promised Sir John Shelley and Mr. Kinglake, but you yielded to the temptation of this bribe and voted for Mr. Westropp?—Yes.

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MRS. JANE POLES, sworn; Examined by Mr. *Hannen.*

514. ARE you the wife of the last witness, John Poles?—Yes.

515. Do you remember the polling day at the last election?—Yes.

516. On the morning of that day did you see Edward Stroud and Henry Harwood?—Yes.

517. Where did you see them?—They came to my house.

518. Did they see your husband?—Yes.

519. Were you present at the conversation which took place between them?—I do not know what took place between them.

520. After that, did your husband leave home in company with some one?—Yes.

521. With whom?—John Brown.

522. When did you next see your husband on that day?—Down in the town.

523. Where did you see him?—Going from the "Bull and Butcher," across the road.

524. Was he alone, or with some one?—With a man of the name of Jones.

525. Was your son Edward there?—Yes.

526. Where did they go to?—They went into Mr. Harden's.

527. Which we have heard is facing the churchyard?—Yes.

528. Did you follow them?—I followed them as far as the door.

529. Did you remain outside the door?—Yes.

530. Who went in?—My husband and Jones.

531. When your husband came out, what did he say to you?—He said it was all right.

532. Did he then go away with Jones?—Yes, down to the poll.

533. Did you go after him?—Yes.

534. After he had voted, when did you see your husband again?—Not until he got back to the churchyard again.

535. What did he say to you then?—He gave me one packet of money, which was five sovereigns, in a piece of paper.

536. Did you then go back to the "Bull and Butcher" with him and your son?—Yes.

537. Did you have some refreshment there?—Yes.

538. When you were there, did your son give you anything?—Yes; my husband gave him another packet of money.

539. Did you see your husband give him that packet?—Yes.

540. What did your son do with it?—My husband said he was to take one out for himself, and give me the others.

541. Did he take one out?—He did.

542. And gave you the others?—Yes.

543. How many?—Four.

544. What did you do with that?—I paid it away; bought clothing and things.

545. You had the five and the four?—Yes.

546. Was one sovereign changed at the time?—Yes, at the "Bull and Butcher."

Mrs. *Jane Poles.*

547. For refreshments?—Yes.

548. Did your husband tell you from whom he had received that money?—Yes.

Cross-examined by Mr. *Longfield.*

549. Were the sovereigns sealed up?—Not sealed; they were in a little whity-brown paper.

550. How long have you been up here?—I came up yesterday.

551. When did you first tell the persons on the other side about this money?—On the polling day.

552. Who did you tell?—It was at the "Anchor," at Mr. Bussell's.

553. Is he an agent of Sir John Shelley and Mr. Kinglake?—I do not know, I am sure.

554. When did you tell Mr. Lovibond and that party about this matter?—I have not seen them to tell them about it.

555. When did you first tell them, after the polling day, about this transaction?—It was Mr. Bussell I first told.

556. Who is he?—The landlord of the "Anchor."

557. When did you tell him that?—On the polling day.

558. Was that one of the committee rooms of Sir John Shelley and Mr. Kinglake, or one of the open houses?—It was an open house, I suppose, not a committee room.

559. Was there a committee room there?—I do not know. The refreshment we took there we paid for.

560. What did you do after being at the "Bull and Butcher," and getting the 9*l.*?—I went home with it, and then I went and laid out 4*l.* in the middle of the afternoon. I delivered the other 5*l.* to my son, and I believe he delivered it to Mr. Bussell at the "Anchor" inn.

561. You gave it to your son?—Yes.

562. Did he accompany you to the "Anchor"?—Yes.

563. Had you any refreshment there?—Yes; I had one glass of gin and water there, and paid 6*d.* for it.

564. Did you then give the five sovereigns to Mr. Bussell?—Yes.

565. Was it given to him in your presence by your son?—Yes, and Mr. Bussell gave me 5*l.* in return.

566. Did you know at that time that Mr. Bussell was a friend and partisan of Mr. Kinglake and Sir John Shelley?—Yes; I knew he was that side.

567. How often since have you gone to Mr. Lovibond's office on the subject?—I cannot say that I myself have been to the office at all.

EDWARD POLES, sworn; Examined by Mr. *Powell.*

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568. You are the son of the last witness?—Yes.

569. Are you an elector of Bridgwater?—No; my father is.

570. Do you remember the morning of the polling day?—Yes.

571. Did some persons come to your father's house?—I cannot say; I was not there.

572. Did you see your father with anybody?—I saw him with Mr. Jones.

573. About what time of the day was that?—About half-past eight.

574. Did you go to them?—Yes, I joined them.

575. Where did you go to?—To the "Bull and Butcher."

576. Did you go in the front way, or the back way?—In the back way.

577. Into a room in the house?—Into a front room.

578. Where you asked if you would have something to drink?—Yes.

579. And I believe your father had some gin, and you had some beer?—Yes.

580. When that was drunk, what did Jones say?—He asked my father to come with him, and he said he would when he had the sugar, meaning the money. He told him he wanted a friend first, and wanted the money first, and Jones told him to wait about 10 minutes.

581. Did Jones go away?—Jones went away, and came back again in about 10 minutes.

582. When he came back, what did he say?—He told him to come on with him across the road, and it would be all right.

583. Did you leave the room and go?—Yes.

584. Where did you go to?— To Mr. Harden's back door.

585. Is that Frederick Harden, the baker?—Yes.

586. Where did you go then?—My father went inside, and I went to the door, but was ordered out, and told I was not allowed there.

587. Who ordered you out?—Mr. Jones.

588. Did your father go in?—Yes.

589. When your father went in, was the door shut?—The door was shut against me.

590. After your father went in?—Yes.

591. Had your mother joined you by that time?—Mother had joined us in the road.

592. You and she remained outside?—Yes.

593. After your father had been in a short time, did he and Jones come out?—Yes.

594. Did you hear him say anything?—He said, "All right."

595. Did he and Jones then go to the poll?—Yes.

596. When they came from the booth, did your father do anything?—He came back the same way again, and delivered mother one packet of money.

597. Where did you all go to then?—To the "Bull and Butcher."

598. When you were there, what became of the other packet?—He gave me the other, and I opened it.

599. What did it contain?—Five sovereigns.

600. I believe your father gave you some directions, in consequence of which you took one, and gave the other four to your mother?—Yes.

601. Did you change that one to pay for the refreshments?—Yes.

602. Now after that, did you go to the "Anchor" inn and make a statement about it?—Yes.

603. Did your mother afterwards hand anything to you?—She handed me five sovereigns.

604. Were they in the packet when she handed them to you?—No.

605. She had opened the packet?—Yes.

Cross-examined by Mr. *Sleigh.*

606. What did you do with those five sovereigns?—I handed them over to Mr. Bussell.

607. Who was present when you handed them to Bussell?—I think Mr. Simmons was in the room, and my mother.

608. In what part of the house was it that you gave him the five sovereigns?—In the bar.

609. Was your mother with you then?—Yes.

610. In the bar?—In the bar.

611. This was handed openly by you to Bussell?—Yes.

612. Did he do anything upon your giving him the five sovereigns?—He gave me back five to replace them.

613. Did he give you them wrapped up in a bit of whitey-brown paper?—No.

614. They were loose, were they?—Yes.

615. How did you give him your five sovereigns?—They were loose too.

616. When did you first tell this story to anyone?—The same day.

617. To whom was that?—Mr. Bussell.

618. But besides Mr. Bussell, to whom did you tell anything of this matter?—I cannot remember any one in particular.

619. How soon after this matter occurred was your evidence taken down in writing?—It may be a fortnight; I cannot tell exactly the time; but I think it was somewhere about that.

620. Was it at Mr. Lovibond's?—At Mr. Fletcher's.

621. Who took you to Mr. Fletcher's?—No one; I went with my father.

622. Who asked you to go there?—No one.

623. How did you know that you were to go there at all?—Well, we went and gave evidence.

624. But how did it come to pass that you went to Mr. Fletcher's to have your evidence taken down?—We had seen Mr. Fletcher, and told him of it.

625. Before that?—At the same time.

626. How came it to pass that you went to Mr. Fletcher's on that day?—After we gave Mr. Bussell the money, I suppose Mr. Fletcher must have found it out.

627. Was it Mr. Bussell who took you to Mr. Fletcher's?—No; no one.

628. Was it he who told you to go there?—No; no one.

629. Did you know Mr. Fletcher before the election?—Yes; I have known him for years.

630. How came it to pass that you went on a particular day to Mr. Fletcher to have your evidence taken down?—Well, we were passing, and saw Mr. Fletcher.

631. Met him in the street?—Yes.

632. He

632. He asked you to come in, and you went in, and he took down your evidence?—Yes.

633. I suppose you were about the town during the election?—I was, with my father.

634. Did you go to the different public-houses?—Yes; I was about at different places.

635. There were a good many houses open?—No; I went with my father to one or two places, where he had been before.

636. Did you go to the "Commercial Hotel" amongst other places?—No.

637. Do you remember seeing flags out of the windows there?—No.

638. By the *Committee.*] When you met Mr. Fletcher in the street, did he ask you about this matter, or did you volunteer to tell him?—We volunteered to tell him.

E. Poles.

17 April 1866.

JOSEPH STOODLEY, sworn; Examined by Mr. *Powell.*

639. ARE you an elector of Bridgwater?—Yes.

640. Do you know Frederick Jarman, of that town?—Yes.

641. Do you remember, some days before the election, his coming to your house?—Yes.

642. What did he say to you?—He asked me who I was going to vote for.

643. What did you say?—I said I had not exactly made up my mind.

644. Did he ask you to vote for anybody?—Yes; he asked me if I was going to vote for Mr. Westropp.

645. What did he say?—I said I would if I had the same as the rest.

646. What did he say?—I think he said I should have as much as any one else.

647. Do you remember the polling day?—Yes.

648. On the morning of the poll day, did anybody come to you?—Yes; a neighbour of mine came up the street.

649. What was his name?—Cooksley.

649*. Did he say something to you, and did you go with him towards Pimm's, at the "Golden Lion"?—Yes.

650. Now, on your way to the "Golden Lion," did you meet anybody?—I saw Mr. Jarman down at the corner of the street.

651. What was said to Jarman?—I did not say anything.

652. Did your neighbour who was walking with you?—Yes.

653. What did he say?—He asked if there was anything going on.

654. What did Jarman say to that?—We were to go over to Pimm's.

655. Did he say what was going on?—He said there would be 10 *l.* each.

656. Did you upon that go to Pimm's?—Yes.

657. He keeps the "Golden Lion"?—Yes.

658. Did you find any people on Pimm's premises?—Yes.

659. About how many people did you see there?—I should think I saw 40 there.

660. Were they voters?—I took them to be voters; I did not know them personally.

661. Do you know some of them?—Yes.

662. Were they voters?—Yes.

663. Now, did you and your neighbour Cooksley go anywhere into the house?—We went up into a place behind, like a club room; we went through a court into the front bar, and up into a club room a little behind.

664. When you went into the room, what did you find there?—There was some refreshment there.

665. What sort of refreshment?—Ham and coffee.

666. What time was this?—It was between seven and eight.

667. How many persons did you see in the club room?—I should think there was 20 there.

668. Can you tell me the names of any one you saw there?—I do not recollect the names.

669. Just try and see if you can remember any of the names?—Mr. George Hooper, I remember, foreman over the sawyers.

670. Who else did you see there?—I could not speak positively who they were.

671. I do not want you to mention all, but can you tell me any of them?—No, I cannot, but me and Cooksley.

672. Did you have anything there?—We had some ham and coffee.

673. You had your breakfast there?—Yes.

674. By the *Committee.*] Is Hooper a voter?—Yes.

675. Mr. *Powell.*] Now when you went in did people come in and go out?—Yes.

676. Did those persons sit down to breakfast?—Yes.

677. Do you know Mr. Joseph Richard Smith, the pawnbroker of Bridgwater?—Yes; very well.

678. Did you see him there?—Yes.

679. In the club room?—Yes.

680. How long do you think you stayed there?—I should think I was there half an hour.

681. In the club room?—Yes.

682. Can you give the Committee any idea as to about the number of persons who came in and had breakfast while you were there?—I should think there were five or six came in after I was there.

683. After you had been there about half an hour, where did you go to?—We went down into the court again.

684. Were there persons there?—Yes.

685. Many?—A few standing about.

686. Who were they?—I do not know their names.

687. Now, did some one say anything to you, in consequence of which you went up stairs?—Yes.

688. What stair was it you went up; the front, or the back?—The front stairs.

689. Where did you go to?—I went up on the landing, and stood at a door leading to a room.

690. Did you see anybody on the landing?—Mr. Jarman was there at the door.

691. The same person who had walked with you to the inn?—No; that was Cooksley.

692. The same person you had spoken of as having come to you and canvassed you?—Yes.

693. Did you see anybody else that you remember on the landing?—Yes.

694. Who?—One was Mr. Coles, the saywer.

695. You have spoken of a door; did any persons come in and go out of that door?—Yes.

696. How many?—Four or five.

697. While you were standing there?—Yes.

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 698. Did

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698. Did they go in one by one, or more?—One by one.

699. Did any one go in until the previous person who had gone in came out?—No.

700. Now, after waiting some time, did Cooksley go in?—Yes.

701. And when he came out did you go in?—Yes.

702. Now, as you were going in, did Jarman call out anything?—He said, "All right."

703. When you went into the room, who did you see in the room?—A man of the name of Heal.

704. Was there anything in the room?—I did not take particular notice of anything.

705. A screen?—There was a screen before the door.

706. Now, had Heal anything in his hand?—I do not think he had, except a piece of paper.

707. Never mind what it was, but tell me whether he had something in his hand?—I do not know whether it was in his hand, or on the window-ledge.

708. Had he a scrap of paper there?—Yes.

709. Did you observe anything upon it?—Yes, there was; I thought it was names.

710. After you went into the room did Heal say anything to you?—He asked me my name.

711. And I presume you told him?—Yes.

712. What did he do when you told him your name?—He put it down on this piece of paper.

713. Mr. *Longfield.*] Was it the same piece of paper that he put it on?—The same piece of paper that I saw.

714. Mr. *Powell.*] Now, having put your name on that piece of paper, did he give you anything?—Yes.

715. What?—Two little bits of paper done up like cartridges.

716. Did you open them in the room?—No.

717. Having received that, did you leave the room?—Yes.

718. And go out upon the landing?—Yes.

719. Was Jarman there then?—Yes.

720. What did Jarman say to you?—He did not say anything to me.

721. What did he say when you came out?—I do not know that he spoke.

722. Were you told to go upstairs?—Yes.

723. Who told you that?—I do not know; some one there told me to go upstairs.

724. Did you go upstairs?—Yes.

725. And wait until a tally was formed?—Yes; until there was enough to form a tally.

726. What do they call a tally at Bridgwater?—Well, it is a body of persons; 10 or 12 persons.

727. Having gone there, where did you next go to?—I went upstairs and went into a bedroom.

728. Having got into the bedroom did you examine the cartridge paper?—Yes.

729. Did you find the money there all right?—Yes, two packages of five sovereigns each.

730. Having waited for some time, how many of you formed together?—I did not count them, but I should think there were 10 or 12.

731. Having done that, was there a band outside?—Yes.

732. Then did you form into procession?—Yes.

733. And the band took you to the polling-booth?—Yes.

734. And you voted?—Yes.

735. Who did you vote for?—Mr. Westropp.

736. A plumper?—Yes.

737. Now, when you had done that, I believe you went home, or went off somewhere or other?—Yes.

738. Do you know a gentleman named Chapman?—Yes.

739. Is he a clerk at Messrs. Smith's, the lawyers?—Yes, I believe he is.

740. I believe he has the misfortune to be lame?—Yes.

741. Do you remember his calling upon you sometime recently?—Yes.

742. Did he have a conversation with you about your evidence?—Yes.

743. I must not ask you what passed, but my friend can, if he likes; but when was it that this gentleman, Mr. Chapman, came?—Last Wednesday.

744. Do you remember, when you came out of the room in which Heal was, seeing a person named Reece?—Yes.

745. Was Jarman there then?—Yes.

746. Did Reece say anything in the presence of Jarman?—I believe it was in his presence.

747. Did anybody say anything in the presence of Jarman when you came out of the room?—I am not sure whether Jarman was there or not.

748. You do not recollect?—I do not recollect.

Cross-examined by Mr. *Sleigh.*

749. You did not tell my friend the exact time when this matter took place on that morning?—It must have been between seven and eight.

750. I want to be very particular about the time. Was it before the poll opened?—Yes.

751. I am now asking you about the time when you say Jarman came and spoke to you?—Before the election.

752. Before the election, between seven and eight o'clock in the morning?—Mr. Jarman did not come to me

753. Well, who did, that morning, asking you to go and vote?—When Mr. Jarman came to me it was nine or ten days before the election.

754. I am now calling your attention not to what took place nine or ten days before, but to the morning when you went into the "Golden Lion" and got these two packets of sovereigns, as you tell us: you say that Mr. Cooksley was present, and you and Jarman went to the "Golden Lion"?—I did not say that Mr. Jarman went with us to the "Golden Lion."

755. I want you to tell me what o'clock in the morning it was that you had this conversation with Jarman, which you have detailed to-day?—I believe it was about seven.

756. At that time Cooksley was present?—Yes.

757. And Cooksley accompanied you and Jarman to the "Golden Lion"?—No, Jarman did not go with us.

758. It was Cooksley and you?—Yes.

759. After you came out of the room into which you went did you see Jarman again?—Yes, Jarman came there.

760. Now when was it you polled?—I should think it was between eight and nine o'clock.

761. Before nine o'clock, as well as you can remember?—I do not know that it was before nine; I do not know exactly the time.

762. Just

762. Just try and remember?—It was soon after the poll was opened.

763. If it was soon after the poll was opened it would be before nine?—I should think it was about nine.

764. Now after you polled, did you go back again to the "Golden Lion"?—No.

765. It was before you polled that you say you saw Mr. J. R. Smith?—Yes.

766. How long before you polled was it that you saw him. Do not let us have any mistake about this matter. The Mr. Smith you mean is Mr. Smith the pawnbroker?—Yes.

767. How long before you went to the poll, as you have described, was it that you saw Mr. Smith the pawnbroker at the "Golden Lion"?—It might be three-quarters of an hour.

768. Before you polled?—Yes.

769. Now make no mistake about that. You pledge yourself that you saw Mr. Smith the pawnbroker at the "Golden Lion" that morning at the time you mention?—Yes.

770. We cannot have any mistake about it, because it is Mr. Smith the pawnbroker?—Yes.

771. He is the only Mr. Smith who is a pawnbroker there?—Yes.

772. Is Mr. Hooper in the employment of Mr. Ritson?—I believe he is.

773. I mean Mr. Ritson, who employs a large number of persons there?—Yes.

774. At the "Golden Lion," where you say there were refreshments,—ham, coffee, and so forth,—were several of Mr. Ritson's men there that morning?—I do not know; I don't know them. *J. Stoodley.* 17 April 1866.

775. I do not mean that you know them all by name, but you know the persons by sight who were employed by Ritson?—No, I do not.

776. Do you know who they were that you saw there? Do you know anything at all about them, with of Mr. Hooper, Mr. J. R. Smith, and Mr. Cooksley?—No, I do not.

777. Then they may have been in the employment of Ritson for ought you know?—Yes.

778. When you went into the room where the cartridges were delivered, where was Cooksley?—Outside.

779. Where do you mean by outside; it may mean in the street?—On the landing outside the door.

780. He was so situated, that when you went into the room, he must have seen you go in?—I cannot tell.

Re-examined by Mr. *Powell.*

781. As I understand you, Cooksley had gone in before you?—He had, and he came out and was waiting for me.

782. When Cooksley did come out you were admitted?—Yes.

783. So that he was at any rate on the landing when you went in, whether he saw you or not?—Yes.

Mr. Henry Osborne, sworn; and Examined by Mr. *Hannen.*

784. Are you an elector of the borough of Bridgwater?—Yes. Mr. *H. Osborne.*

785. Did Mr. Westropp canvass you for your vote?—Yes, on the 1st July 1865.

786. Who was with him?—Mr. Linney and Mr. John Vesey: these two gentlemen came to the door with Mr. Westropp.

787. Who are those gentlemen?—I am not at all intimate with them, but I know them by sight. Mr. Vesey is a solicitor in Bridgwater, and I believe Mr. Linney is an auctioneer.

788. When Mr. Westropp asked you for your vote, what answer did you give him?—I told him I was buff.

789. That is the Liberal colour?—Yes.

790. I understand you to say that Mr. Vesey was there at the time?—Yes.

791. Now I will go, if you please, to a later date, the 9th July 1865; on that day did one of your daughters make a communication to you?—Yes, my daughter Emma.

792. In consequence of that communication, did you go and see Mr. Vesey?—I objected to it at first, but my daughter said it would look unkind not to speak to him.

793. And ultimately you did?—I did.

794. Where was Mr. Vesey?—In my parlour.

795. Can you say what was the conversation which took place?—In the first place I said, "Well, Mr. Vesey, what is your pleasure?" and he said, "I have come to ask you, Mr. Osborne, if you will vote for Mr. Westropp." I said, "No." He then said, "Will you take 5?"—he did not say what. I said, "No." He then said, "Will you take 10?" I said, "No." Then will you take 15?" I said, "No." Then he said, "I will tell you what we will do. We'll have no scrutiny votes and you shall plump for Mr. Westropp, and we will give you four smackers"—that is 20*l.* I said, "I will not take the money." He said, "You are a very foolish man; 20*l.* is useful in a family." I told him I knew the value of 20*l.* very likely as well as most men, but if I could not get 20*l.* in an honester way than that I would not have it at all. He said I was a very foolish man to refuse it; and I said to him, "Supposing I was to take the money, and it was found out, it would subject me to six months' imprisonment, and would unseat the Member." He stated it would never be found out. Then I said, "There is another thing, I have promised my vote, and I will not go from my word." He said, "That is nothing; there are a good many who have done that on your side who will not vote on your side." I said, "That is for themselves; that is nothing to do with me; I shall not do so." He still said, "You must vote for us;" and I said, "If you were to offer me 2,000*l.* I would not take it." He said, "I should be afraid to offer you 2,000*l.* because I should be afraid you would take it." I said, "If I was possessed of 1,000*l.* I would wager that 1,000*l.* that I would not take the 2,000*l.*"

796. In the course of this conversation had your daughter come into the room?—My daughter Anne came into the room, and she sat down on the sofa, and Mr. Vesey turned round to her, and said, "I have almost succeeded;" she said, "Father, do not take the money;" and I said, "I shall not take the money," and she instantly went out of the room.

797. Did you hear any conversation between her and Mr. Vesey, after she went out of the room, about the 20*l.*?—That was afterwards, when my two daughters heard our feet moving in the parlour to go out; they came to bid Mr. Vesey good night; and he said, "I think, Mr.

Mr. *H. Osborne.*

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Osborne, you are a very foolish man; 20 *l.* would be useful in a family;" and my daughter Anne said, "What is 20 *l.*, I could spend that in a dress."

798. By the *Committee.*] What is your business, Mr. Osborne?—I am a whip-thong maker.

Cross-examined by Mr. *Longfield.*

799. When did this occur?—This occurred on the 9th day of July 1865, between 9 and 10 in the evening.

800. Did anybody come with Mr. Vesey?—No.

801. Was he in the habit of coming to your house?—No; he was never there before until he came to canvass.

802. And he never came again after that reception, I suppose?—No, not to my knowledge.

803. Who did you vote for?—I voted for Sir John Shelley and Mr. Kinglake.

804. How soon did you tell about Mr. Vesey offering you this?—As it happened on the Sunday I told it on the Tuesday.

805. That was the day of the nomination?—It was the nomination day. I spoke of it the next morning, before breakfast; I made it publicly known, for I told my next door neighbours both ways, what I had offered me in that room; and I said, "What would you have done if it had been either of you?" they said that they would have taken it; and that was a principle that was very predominant. "However," I said, "I refused it."

Miss Anne Osborne, sworn; and Examined by Mr. *Hannen.*

Miss *A. Osborne.*

806. Are you the daughter of the last witness?—Yes.

807. On the evening of the 9th April 1865 did you meet Mr. John Williams Vesey?—Yes, in the Salmon Parade.

808. At what o'clock?—Just before 10.

809. Were you alone, or with anyone?—With my sister.

810. Had you known him before?—Yes, I have known him for some time.

811. Will you tell us what passed; did he say anything about your father?—Yes.

812. Tell us what he said?—He asked me whether father had decided which way he was going to vote; whether his mind was made up; and I told him "Yes." He then asked me which way, and I told him, on the Liberal side.

813. When you said that, what did he say?—He said that was all nonsense, he knew better than that.

814. Did he go on to say anything as to what he should do?—He said he should try to get him to vote on the other side.

815. Did he say what he should say to him?—He said he should go to see him. I told him it was no use to go, but he said he should go; and he persisted in going; I told him it was no use, but he might go if he chose, and he went home with us.

816. Did he say anything as to any proposal that he should make to your father?—He said, "Do not you think, if we offer him 20 *l.*, he would vote for us then?"

817. What did you say when he made that suggestion?—I told him it was no use his trying, because my father's mind was made up.

818. He then accompanied you home?—Yes.

819. Did you then communicate with your father when he went to see him?—My sister preceded me, and went in-doors and told father that Mr. Vesey wished to see him.

820. Then your father went into the parlour and saw Mr. Vesey there?—Yes, I took him into the parlour; my sister went into the kitchen and told father he was there, and when he came in I introduced Mr. Vesey to him; then I went from the parlour to the kitchen and got a light.

821. Did you go into the parlour after?—Yes, after they had had some conversation.

822. Tell us what was going on when you went into the room?—Mr. Vesey said, "Well, Miss Osborne, I have almost succeeded;" and I did not make any answer to Mr. Vesey; but I said, "Father, do not take the money."

823. What were you alluding to?—The 20 *l.* which he had spoken of before, in the earlier part of the evening.

824. Did you hear anything more pass between them after, and Mr. Vesey?—Nothing more until he was going away; then, when they made a move to get out into the passage, I got up and came out.

825. Did you then hear Mr. Vesey say anything to your father?—Yes, I heard Mr. Vesey say, "You had better take the 20 *l.*, Mr. Osborne."

826. What did you say?—I said, "You had better not take it."

827. Did you give any reason why?—I said to Mr. Vesey, "You are making a great deal of it; what is 20 *l.*, I could spend it all in a dress."

828. And I dare say that is true?—Oh, yes, I could, if I was to try.

Miss Emma Osborne, sworn; Examined by Mr. *Hannen.*

Miss *E. Osborne.*

829. On the 9th July 1865 were you walking with your sister on the Salmon Parade?—Yes.

830. Do you remember meeting Mr. Vesey when you were in company with your sister?—Yes.

831. Will you tell us what conversation passed between you and Mr. Vesey?—He asked us if we were going home, and we said "Yes;" he asked if he should accompany us, and we said "Yes;" and when we were going home he asked if father had made up his mind to vote; and I said, "Yes, on the Liberal side;" he said "Oh, nonsense! he knows better than that."

832. Did you persist that your father was going to vote for the Liberals?—Yes, I said he had made his mind up.

833. Did he propose to go home with you?—He asked if he should go home, and I said it was no use.

834. Did he say what his object was in going to see your father?—Yes; he said he was going to offer him 20 *l.* for his vote.

835. I do not know whether you were present during any portion of the conversation in the room?—No, I was not.

836. Mr. Vesey and your father were in the parlour together, we hear?—Yes, they were.

837. Did

837. Did you hear anything which passed after Mr. Vesey had been in the room?—Yes; I heard Mr. Vesey say, "You had better take the 20 *l.*, Mr. Osborne."

838. Then did you hear something which your sister said?—I heard her say, in a peculiar sort of way, that she could spend all that in a dress.

Miss *E. Osborne.*

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Mr. Frederick Jones, sworn; Examined by Mr. *Powell.*

839. Are you a master of a vessel called "The William the Fourth"?—Yes.

840. And an elector of the borough of Bridgwater?—Yes.

841. Do you know Mr. John Williams Vesey, the solicitor?—Yes.

842. Do you remember the nomination night?—Yes.

843. Were you, in the course of that night, in a place called Eastover?—Yes.

844. About what time?—Between one and two o'clock in the morning.

845. Did you meet Mr. Vesey there?—I did.

846. Did he speak to you?—Yes.

847. Tell us what he said?—He took me by the arm, and asked me walk to Mr. Harwood's with him, and asked who I intended to vote for.

848. What did you say?—I said I should vote for the side that I could do best for myself with.

849. What did he say?—He said he could do as well as anyone else for me.

850. Did you mention any other person's name to him, who was the same way inclined with yourself?—Yes; a friend of mine of the name of Jennings.

851. What did he say?—He said, "All right."

852. Where did he take you to?—To Mr. Harwood's.

853. Did you see anybody there before you saw Mr. Harwood?—There were several persons in the room.

854. Did he introduce you to anyone?—He took me on the bridge and introduced me to Mr. Hird.

855. What did he say to Mr. Hird?—He said, "Here is Captain Jones, and also Jennings, a friend of his, who will vote for us."

856. What did Mr. Hird say?—He said, "Very good."

857. Where did you go to from the bridge?—To Mr. Harwood's.

858. Is that a private house?—Yes.

859. Did you find anyone there?—There were several there.

860. What were they having?—Coffee, and such like.

861. Did you have some?—I had a cup of coffee.

862. Who did you see there?—There were several there that I did not know, and one or two that I knew.

863. Tell us who they were?—One was Mr. James Laker of the "Golden Bull," and Mr. Harwood and Mr Vesey I knew, but all the others I did not know.

864. Can you tell me about how many others there were there?—I could not say; they were going in and out.

865. About how many altogether came in and out while you were there?—About six or seven.

866. Did they have refreshment?—Some of them.

867. Did Mr. Harwood say anything to you about your vote?—Yes, he asked me who I intended to vote for, and I told him the same as I said before.

868. Just repeat it again?—The side I could do the best for myself by.

Mr. *F. Jones.*

869. What did he say?—He said, "All right, they could do as well as anyone."

870. What did you say?— I asked him when.

871. What did he say?—He said I should see him again about five o'clock, and we parted with that.

872. Was anything said as to what you were to see him again at five o'clock about?—That was for what he was going to do for me. I was to see him again and it would be all right.

873. Did you see him afterwards?—No, not until late the next day.

874. You saw him after the poll?—Yes.

875. Who did you vote for?—Kinglake and Shelley.

876. When did you see him the next day?—Between 10 and 11.

877. What passed then?—I went to him and I said, "You have served me a nice trick; you know what you promised this morning, to meet me at 5 o'clock"; he said, "Oh, all right, it is not too late, come with me," and he took me by the arm, and led me in a direction towards Harden's; but I laughed at him and said, "You are too late, I have just polled."

878. You say that you voted for Sir John Shelley and Mr. Kinglake?—Yes.

879. Did you get anything for voting for them?—Nothing.

880. Do you know Henry John Wadden?—Yes.

881. Do you recollect seeing him on the morning of the poll?—Yes.

882. Is he an elector?—I believe so.

883. When you saw him did he ask you anything?—Yes; he asked me which way I intended to vote.

884. What answer did you give him?—I told him for the one that would do the best for me.

885. Is his father named John Wadden?—Yes.

886. Has he premises in Eastover?—Yes.

887. Did you go there with him?—I did, to the door.

888. Did you see the father?—Yes.

889. Did he ask you who you were going to vote for?—Yes, and I told him the same.

890. What did he say?—He said, "Very well, we can do as well as anyone else for you." He asked me if I would come in and sit for half-an-hour; and I said no, I had my friend Jennings with me, and I wanted to get in. Young Mr. Wadden asked me to go with him to Frederick Harden's, and he would do it in half-an-hour.

891. What did you say?—I said, "Very well," but I would not go unless my friend Jennings went with me.

892. You left him to go for your friend?—We walked to the bridge together.

893. Then you went to see for Jennings?—Yes.

894. I believe you did not see Wadden after that?—No.

895. In point of fact you did not intend to vote for him?—I did not.

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Cross-examined by Mr. *Longfield.*

896. I am afraid the election does not seem to have been very profitable to you?—I did not intend to make anything by it.

897. Were you telling him a lie then, when you said you would vote for the one that would do the best for you?—No.

898. Did you intend to sell yourself to the highest bidder, when you said you would vote for whoever would do the best for you?—No, I did not.

899. Had you made up your mind at that time to vote for Kinglake and Shelley?—Yes.

900. Had they canvassed you?—They had.

901. Had you promised them?—I could not promise them, because I was not home.

902. How did they canvass you?—They called at my house, but I was not there.

903. Did you and your friend Jennings determine to vote for the same people?—Yes.

904. And did you both tell the same story, that you had not made up your minds, but you meant to vote for whoever gave most?—We both said the same thing.

905. Did you both go and keep the appointment at 5 o'clock?—No.

906. Then how did you know that Harwood had played you a trick by not meeting you; did he not tell you to meet him at 5 o'clock at a particular place about money?—To come to his house.

907. Then how did you accuse him of having played you a trick when you did not go to his house?—Just for the fun of the thing.

908. Did you say you would go and meet him?—No, I did not.

909. Did you not tell the Committee that you said to him, "A pretty trick you have played me by not coming"?—I told Harwood so.

910. And he said it was not too late?—Yes.

911. The fact being that you did not go there?—Yes.

912. Did your friend Jennings go?—No.

913. Then the fact is, that everyone offered you money, and no one gave it to you?—I would not take it.

914. Were you offered it?—They told me they would give it me.

915. Who told you?—They all told me.

916. Who are "they all"?—Mr. Wadden for one, and Mr. Vesey for another.

917. At what time did Wadden tell you?—About 8 o'clock on the day of the election.

918. Did he name any sum?—No.

919. Did you tell him then that you would vote for whoever paid you most?—I did at first when I met him.

920. At what hour did you vote?—About 9, or a little after.

921. Who took you up to the poll?—I went with several friends; no one took me.

922. Have you been promised anything for voting?—No.

923. Did you get an I O U?—No.

924. Or any security?—Nothing.

925. Not from Mr. Lovibond?—From no one.

926. When did you tell Mr. Lovibond of this conversation with Vesey?—When I returned from London, just after the election.

927. How soon after?—About a fortnight, I think.

928. Was it 2 o'clock in the morning that you saw Vesey?—About two, as near as I can judge.

929. Was he at all elevated?—I am not particularly acquainted with him, and I could not see.

930. Did you know Mr. Vesey before?—Yes, by sight.

931. He did not name any sum of money, either?—No.

932. Did you not know that there was money going on both sides?—I knew there was money going on that side, but I did not know that there was on the other.

933. How long before had you come to the town?—I arrived about 2 o'clock on the day before the election.

934. Did you go to any of the Committee-rooms then?—Only at Newton's.

935. Where is that?—An inn called the "Three Crowns."

936. Where had you been before you came to the town?—At my own house.

937. Where is that?—In Bridgwater.

938. Had you not been absent from the town some time?—I had been in London.

939. Who brought you down from London?—I came down by train.

940. Who paid for your ticket?—Myself.

941. Who gave you the money for it?—No one.

942. How soon after the election was over did you return to London?—The following day.

943. Had you heard from Sir John Shelley's party when you were to come down?—No, my owner had told me.

944. Who did he vote for?—I do not know.

945. Is he a Bridgwater man?—Yes.

946. And a voter?—I believe so.

947. Did you go to any place but the "Three Crowns"?—No.

948. To the "Fountain," or the "Lamb"?—I was in the "Lamb."

949. Had you anything there?—Nothing more than I paid for.

950. Was it very full?—Yes, very, at the time I was there.

951. Of the friends of Sir John Shelley?—I do not know.

942. By the *Committee.*] Did you never intend to take money for your vote?—No, I did not.

953. But you said you would vote for the party who made it best for yourself?—Yes.

954. Was that said as a lark, or did anyone instigate you?—It was just for a lark, to see if anything was being given.

Re-examined by Mr. *Powell.*

955. You are a mariner?—Yes.

956. And very fond of chaff?—A little.

957. That was the sense in which you put those questions?—Yes.

958. You polled at 9 in the morning?—Yes.

959. The "Three Crowns" was one of Mr. Westropp's houses, was it not?—Yes.

Mr. JOHN H. B. CARSLAKE, recalled; Examined by Mr. *Hannen.*

Mr. *J. H. B. Carslake.*

960. YOU have told us that you are the Town Clerk?—Yes.

961. Are you well acquainted with Mr. Richard Smith, of Bridgwater?—Very well.

962. And also his son, Richard Bealey Smith?—Yes.

963. Do they carry on business in co-partnership as solicitors in Bridgwater?—They do.

964. Did

964. Did they take an active part at the last election for the Conservative party?—They did.

965. In consequence of their taking such part, did you, in your official capacity, address a letter to them of the 26th of June 1865?—Yes.

966. Is that a letter which you addressed not only to Messrs. Smith, but also to Mr. Lovibond and Mr. Bate?—I did.

967. Who was Mr. Bate?—Mr. Bate was the agent acting for Mr. Kinglake.

968. Will you read it?—"I am desirous of making the requisite arrangements for the erection of the hustings and polling booths to be used at the ensuing election; and as the custom has been for each candidate to appoint one person to be associated in the work, I shall thank you to direct the individual who may be selected by Messrs. Smith and Son (Mr. Westropp) to be at my office on Thursday morning next, at 10 o'clock without fail, as I must then give directions for the work. I am," &c.

969. You wrote the same letter to all three candidates?—Yes.

970. Did you receive an answer from Mr. Joseph Richard Smith?—Yes.

971. Is he a brother of Mr. Richard Smith?—Yes.

972. He is a pawnbroker, I believe?—Yes.

973. Mr. *Longfield.*] You wrote to one Mr. Smith, and got an answer from his brother?—Yes, I wrote to the solicitor, and received the letter which I now produce from Mr. Richard Smith's brother.

974. By the *Committee.*] Do you suppose that the firm authorised the brother to write that letter?—I cannot say.

975. Mr. *Hannen.*] Will you read it?—"Dear Sir,—Mr. Thomas Stockham has been selected on Mr. Westropp's part to put up the hustings. Yours, J. R. Smith."

976. Did you apply to Mr. Richard Smith on the subject of the appointment of an election agent for Mr. Westropp?—I have no recollection of applying to him specifically for that. I am not quite sure whether I did or not; but at any rate he told me he was not the agent, and was not acting, but his son would have the conduct and management of the election; that he was not agent, and should not be acting as an agent at all.

977. By the *Committee.*] Was the son a member of the firm?—Yes; the firm is Smith and Son.

978. Mr. *Hannen.*] Did you then afterwards receive a letter dated the 8th of July 1865 from Mr. Westropp?—I did.

979. Will you read it?—"Dear Sir, according to your request, I beg to give you notice that Mr. James Trevor, of Nether Stowey and Bridgwater, solicitor, will act as my agent at the forthcoming election."

980. Now on the 10th of July I see that you addressed a letter to Mr. Richard Smith. You wrote to him, I suppose, as the senior member of the firm?—Yes, I addressed it to him; I cannot say why, but it is the fact that I addressed it to him.

981. Will you be kind enough to read the letter which you addressed to him?—"Dear Sir; Bridgwater Election.—In order that the hustings may not be inconveniently crowded at the nomination to-morrow, I have made arrangements that no person shall be admitted without a pass; accordingly I send you 100 for the use of Mr. Westropp and Mr. Edwards, and their friends. I have sent a number to Mr. B. Lovibond for Mr. Kinglake and Sir J. V. Shelley, and their friends. Yours truly, John H. B. Carslake, Town Clerk."

Mr. *J. H. B. Carslake.*

17 April 1866.

982. Now on that same day, the 10th of July, did you receive a requisition addressed to the Mayor of Bridgwater for the use of the town hall for a public meeting?—I did.

983. Will you read that, if you please?—Yes. "To the worshipful the Mayor of Bridgwater. We, the undersigned, respectfully request that you will be pleased to grant us the use of the town-hall for a public meeting of the electors of this borough, to be held this evening at half-past seven o'clock, dated 10th July 1865. Jos. R. Smith, John Trevor, E. Lilly, J. G. Davis, Robert Buffett, W. Longhurst, Fred. Gent, Cuthbert Ritson, Charles Knowles, T. H. Boys, Thomas Plowman.

984. Do you also produce a bill, receipted by Thomas Lea, against Mr. Westropp for the cleaning and attendance of the room?—Yes; it is amongst the general papers and vouchers; you have it there.

985. You have that among the election accounts furnished to you by Mr. Trevor?—Yes.

986. Did you attend at the hustings on the day of nomination?—I did.

987. Did you see Mr. Richard Bealey Smith on the hustings?—I did; he was immediately behind me.

988. Mr. Joseph Richard Smith, I believe, seconded the nomination of Mr. Westropp?—He did.

989. The show of hands was in favour of Mr. Kinglake and Sir John Shelley, I believe?—It was.

990. Who demanded a poll on behalf of Mr. Westropp?—Mr. Richard Bealey Smith.

991. On the morning of the polling day were you near the polling booths with Mr. Richard Smith?—I was walking about with him.

992. Was Mr. Henry Lovibond also there?—Yes.

993. Did you hear Mr. Richard Smith say anything as to the progress of the election, to Mr. Henry Lovibond?—He said, "The election is in our hands, and we can now return whichever we like." He asked Mr. Lovibond which of the two Liberal candidates was wished to be elected, that was the purport of it; I do not know that I can give the exact words.

994. Did he say anything to you about returning him on any condition.

Mr. *Longfield* objected to this question on the ground that there was no proof of agency.

Mr. *Powell* was heard against the objection.

The Committee decided that it was not necessary to proceed with the examination upon that point.

Cross-examined by Mr. *Longfield.*

995. You have produced documents and letters which were handed to you on the part of Mr. Westropp. Will you produce the letters which were written to you by Mr. Lovibond, or on his behalf?—They are all in; I have no more.

996. Mr. Benjamin Lovibond was Sir John Shelley's agent?—Yes; I received letters from him.

Mr. *J. H. B. Carslake.*
17th April 1866.

997. You wrote to him precisely as you did to Mr. Smith, and got answers?—I did.

998. There is a letter signed by his clerk, Mr. Fletcher, in answer to your application?—Yes.

999. How recently have you come from Bridgwater?—I came last night.

1000. You know Mr. Smith, senr.?—Perfectly well.

1001. Are you aware that he is very unwell at present?—I believe he has had a paralytic seizure, and is very unwell.

1002. Not able to attend here?—I understand so; I have not seen him.

1003. You know he is very ill at present?—I have no doubt of it.

Re-examined by Mr. *Powell.*

1004. You have said that Mr. Trevor was the election agent?—Yes.

1005. There is a Mr. James Trevor and a Mr. John Trevor?—This is Mr. James Trevor.

1006. Did you see him at all during the election?—I saw him in the town, but he resides at Stowey, which is eight miles distant; he was not in the town frequently.

1007. He did not take an active part?—Not by any means.

1008. Did you see him do anything at all in the election?—I did not.

1009. Did you, in your official capacity, have any communication with Mr. Trevor about the election?—Only with reference to the accounts that were brought in.

1010. Not until afterwards?—No.

1011. Did you see him at the hustings?—I feel very sure he was not there. I certainly did not see him.

1012. Who is Mr. Boys?—Mr. Boys is the managing clerk of Messrs. Smith and Son, and has been so for some time. I saw him constantly during the election about at different places, but I do not know what he was doing.

Mr. Robert Fletcher, recalled; Examined by Mr. *Powell.*

Mr. *R. Fletcher.*

1013. Are you the managing clerk to Mr. Benjamin Lovibond, of Bridgwater?—I am.

1014. Do you know Mr. Thomas Henry Boys?—I do.

1015. Have you known him long?—Yes, many years.

1016. What is he?—He is a managing clerk to Messrs. Smith and Son, of Bridgwater.

1017. Is he an elector?—Yes.

1018. Did he take an active part in the election?—Well, I cannot say that he did; but I do not remember seeing him engaged on anything that I could say was an election matter. I cannot point to any particular thing done by him. He was merely working very actively about the town.

1019. Did you see Mr. Boys during the election?—Yes, I certainly did.

1020. Did you see him canvassing?—No, I do not remember that he was canvassing.

1021. So far as you know, you did not see him doing anything particular during the election?—No; I cannot remember anything at this moment.

Joseph Bigwood, sworn; Examined by Mr. *Powell.*

J. Bigwood.

1022. What are you—A printer, residing in Bridgwater.

1023. Do you know Thomas Henry Boys?—I do.

1024. Do you remember Saturday the 24th June?—I do.

1025. Was that the day that Mr. Westropp entered the town?—Yes.

1026. As you were standing in the market-place, did you see a carriage coming from the direction of the railway?—I did.

1027. I believe you knew Mr. Westropp was expected, and you went across to see who it was?—They said he was expected to arrive while I stood there, and I saw the carriage coming.

1028. Did you go to the carriage, or where? I went to the "Clarence Hotel."

1029. Were those Mr. Westropp's head quarters?—Yes.

1030. When you got there what took place?—Mr. Westropp and his friends came into the room, and I took a seat at the end of the room. They came on the platform.

1031. Who did you see there?—Mr. Ruddick was chairman.

1032. Who else did you see?—I saw Mr. Westropp, Mr. John Trevor, Mr. George Parker, Mr. Hennett, Mr. Smith sen., and Mr. Bealey Smith and Mr. Harwood.

1033. Do you know Mr. Boys?—Yes.

1034. Did you see him there?—Yes.

1035. Where was he?—On the right hand of the platform.

1036. Do you recollect any other persons you saw there?—Mr. Lilly, Mr. Edwin Filletts, Mr. Vesey, Mr. Batten, Mr. Harden's brother.

1037. Were those persons you have spoken of on the platform?—A great part of them, not all.

1038. Can you tell us who were on the platform?—During the meeting Mr. Lilly, Mr. Harden, Mr. Trevor, Mr. Parker, Mr. Ruddick, Mr. Westropp, Mr. Hannett, Mr. Vesey, Mr. Batten.

1039. Where were the Messrs. Smith?—Mr. R. Smith was on the platform.

1040. Where was Mr. Boys?—He was on the right of the platform, on a seat by the side of the platform.

1041. On the platform?—No.

1042. Did you see him enter the room?—I did not.

1043. Did you see Mr. Westropp enter the room?—I did.

1044. Did you see who came into the room with him?—Mr. Ruddick.

1045. Any others?—Well, I cannot say.

1046. Did you see Mr. Boys doing anything in the room?—He might have given out some bills and addresses, but I could not say positively.

1047. Did you hear anyone propose a resolution?—I did; Mr. Lilly.

1048. Did you hear the resolution seconded?—Yes.

1049. Who seconded it?—Mr. Harden.

1050. Can you tell us what that resolution was?—That the electors present form themselves into

into a committee, to use their utmost endeavours to secure Mr. Westropp's election; that was the meaning of it.

1051. Was that carried?—Yes.

1052. After that, did any gentleman address the meeting?—Yes, Mr. Parker and Mr. Richard Smith.

1053. I do not ask you what he said, but was there another resolution passed?—No.

1054. Mr. Westropp was there all this time?—Yes.

1055. Do you recollect Mr. Smith, in his speech, recommending anything being done?—Well, I could not say.

1056. On the afternoon of the 10th July, do you remember Mr. Lilly and Mr. Bealey Smith coming to Mr. Graham's office?—I recollect their being in the office, the day that Mr. Westropp and Mr. Edwards were to meet the electors at the town-hall.

1057. You knew that Mr. Edwards had issued an address, and was expected to come down to Bridgwater?—The address was to be ready by the time he came down, but it was altered after it was half ready.

1058. Do you recollect Mr. Bealey Smith and Mr. Lilly coming to Mr. Graham's office about that notice?—Yes, after the proof had been printed.

1059. Did they give any directions?—Yes, to alter the bill.

1060. Mr. Edwards' name was struck out, and Mr. Westropp's name remained?—Yes.

1061. Was the bill issued with Mr. Westropp's name only?—Yes.

1062. Do you remember Mr. Lilly coming at another time about some bills for a committee-room?—Yes, he did.

1063. What did he come for?—To give an order for bills for the committee-room.

1064. What was to be on the bills?—I could not say exactly; it was "Mr. Westropp's Committee-room."

1065. Were those bills printed by his directions?—They were.

1066. And included in Mr. Westropp's account?—I suppose so. *J. Bigwood.* 17 April 1866.

Cross-examined by Mr. *Cooke.*

1067. When Mr. Westropp came into town on that occasion, you, and a great crowd of people ran into the large room?—I went into the room.

1068. With a large company of persons, I mean; blue and orange?—They might be blue and orange; but I could not say who they were.

1069. Nor whether there were as many on one side as the other?—No.

1070. Did you hold up your hand for the resolution?—I do not know that I did.

1071. Did you vote yourself a committee man?—I did not.

1072. The resolution was, that the whole meeting should be a committee?—That it should form a committee.

1073. To promote the election of Mr. Westropp?—Yes; I do not think that it was at all likely that they would all form a committee.

1074. Did Mr. Smith say, "You are all to put your shoulders to the wheel, all hang together," or something like that, and "return Mr. Westropp"?—Yes, in the usual way.

Re-examined by Mr. *Powell.*

1075. Was this meeting in the "Royal Clarence Hotel"?—It was.

1076. That was the principal hotel of Mr. Westropp?—Yes.

1077. You did not vote for Mr. Westropp?—I did not vote at all.

1078. Do you know any supporters of Sir John Shelley and Mr. Kinglake, who were at that meeting?—As I was sitting in front of the platform, I could not very well see behind.

1079. As far as you did see, did you see any supporter of Sir John Shelley or Mr. Kinglake in the room?—They appeared to be supporters of Mr. Kinglake and Sir John Shelley.

1080. In the room?—In this same room.

Mr. Philip Gilbert, sworn, and Examined by Mr. *Hannen.*

1081. You are an Elector of Bridgwater?—Yes.

1082. What are you by trade?—A Carpenter.

1083. Now, on the 12th July before the election, did Mr. Vesey call upon you?—He did.

1084. Did he call upon you before the polling day?—Yes.

1085. What did he state to you when he called?—He wished me to vote for Mr. Westropp.

1086. Had you promised to do so?—No.

1087. On the morning of the polling day, you say he called upon you?—Yes.

1088. At what time?—He called at our house, I think, about five o'clock in the morning; I was not up.

1089. Did he call again that morning?—Not at my house, I think.

1090. Did you see him that morning?—Yes.

1091. Did you go anywhere with him?—I went to Mr. Pimm's public-house.

1092. Did you go there at his request?—Yes.

1093. On the way, did he say anything to you upon the subject of your vote?—He wished me to vote for Mr. Westropp; he told me, if I voted for Mr. Westropp, I should be better off than I should be if I voted for the other side.

1094. When you got to Mr. Pimm's, where did you go?—Into the club-room. Mr. *P. Gilbert.*

1095. Were other voters there?—Yes.

1096. How long did you remain there?—I suppose half-an-hour.

1097. Was anything done during that time?—We had something to drink.

1098. No other business?—No money.

1099. After half-an-hour did you say anything to Mr. Vesey?—I told him I could not stop any longer; and he stated I was to stop a few minutes, it would not be above five minutes.

1100. Did you continue to wait there?—Yes, until I got impatient and would not wait any longer.

1101. Now, did you at length say anything to Mr. Vesey upon the subject of money?—Yes.

1102. What?—I asked him what the figure was; I don't believe he answered the question, another party did.

1103. Did the other party answer in Mr. Vesey's presence?—Oh, yes.

1104. What did he say?—He said, we are doing 10*l.*

1105. What did Mr. Vesey say upon that?—I said I did not see any likelihood of getting anything

Mr. *P. Gilbert.*

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thing here, and I should not stop any longer; he held me fast by the collar of the coat, and he said he would not keep me five minutes longer, and I told him I should not go for 10 minutes.

1106. By the *Committee.*] You told Vesey so?—I told them all so; there were 20 in the room, I should think.

1107. Mr. *Hannen.*] When you said you would not go for 10 *l.*, what did Vesey say?—There was some one, I believe of the name of Lock, told me if I had not spoken so loud they would have made it up to 15 *l.* They told me they were doing 10 *l.*; I said, "I shall not vote for 10 *l.* for Mr. Westropp."

1108. Did you say that to Mr. Vesey?—In Mr. Vesey's presence.

1109. Was he standing by, taking part in the conversation?—Of course he was.

1110. When you had said you would not vote for 10 *l.*, was anything said by Mr. Vesey?—I believe he told me not to holloa so loud, so that everybody in the room could hear.

1111. Was Mr. Heal present?—He was not there.

1112. Did you see Mr. Heal at all that day?—Yes.

1113. What passed between you and him?—Mr. Vesey introduced me to Mr. Heal.

1114. Was that after that meeting?—Yes.

1115. What did Heal say?—He asked me what I wanted, when I got into the room (there was two or three pushing me into the room); and I said, "You recollect, Mr. Vesey, I shall not vote for Mr. Westropp for 10 *l.*"

1116. That you said distinctly to Mr. Vesey when he had introduced you to Mr. Heal?—Yes.

1117. What did Mr. Vesey say to that?—He said, "You can go in, Philip, that is all right."

1118. Did you go in?—Yes.

1119. Did Vesey go in with you?—No.

1120. And when you went in you saw Heale?—Yes.

1121. What did Heal say?—He asked me what I wanted; I told I did not know exactly what I wanted. He said, "We are doing 10 *l.*," and I said, "I shall not vote for Westropp for 10 *l.*" He said, "Won't you?" I said, "No; I told Mr. Vesey before I came in that I would not vote for Mr. Westropp."

1122. What did Mr. Heal say then?—He said Mr. Vesey had no business to have sent me in, and that I could go about my business. I said, "That is where I want to go"; and when I was leaving the room, Mr. Vesey and Mr. Lawrence told me it would be much better for me to reconsider my decision, and that I should do no better anywhere else.

1123. You say Mr. Vesey told you that?—Yes; he told me that the other party was giving nothing.

1124. I understand you to say, that it was after you told Vesey that you would not take 10 *l.* for it that you went in to Heal and had this conversation?—Yes.

Cross-examined by Mr. *Sleigh.*

1125. What time was it that you say you saw Heal?—I cannot say exactly, but some time between eight and nine in the morning.

1126. Upon that morning you had a conversation which you have spoken of, with Heal and Vesey, and you told us that Vesey offered you the amount which you say?—Yes; I do not say he offered me.

1127. What do you say?—He told me if I went in it would be all right. I told him I should not vote for 10 *l.*, and he stated, "You go in, Philip, it is all right."

1128. What did you understand by that?—That I should receive more; the same as I was promised before, 15 *l.*

1129. Then you understood by that that he would give you 10 *l.*, but you thought you would not take less than 15 *l.*?—I did not say I would not take less than 15 *l.*; but I simply said I would not take 10 *l.*, and he simply said, that if I would for 10 *l.* it would be all right.

1130. Do you know John Henry Wadden, the ropemaker?—Oh yes.

1131. Did you not state, in the month of April of the present year, that you never were promised a shilling by any person on behalf of Mr. Westropp?—No, I never said such words in my life.

1132. Had you any conversation with Wadden about it?—I stated to him I never was offered a shilling by the other side.

1133. Now be cautious, because he is here; did you not tell him that you were never offered a shilling by Westropp's side?—I told him I was offered 10 *l.*

1134. Did you tell him that you were not offered anything by the other side?—No, never.

1135. That you swear?—Yes.

1136. And if he came to swear, and say that you had, that would not be true?—It would not be true.

1137. You know Mr. Cook, the lawyer on the other side?—Yes.

1138. Did you have a conversation with him upon the morning of the poll?—Well, I did not have much conversation, it was only two words.

1139. Did Mr. Vesey and Mr. Cook, the lawyer upon the other side, say to you, that if you would go and get 15 *l.* from Westropp's side and bring it to him he would give you an equal sum himself?—No, I never said so.

1140. I am not asking as to whether Mr. Cook did say so or not; but did you tell Mr. Vesey that Mr. Cook had told him that if you could get 15 *l.* from Westropp's side and come to him with it he would give you an equal sum of money?—No.

1141. Not one word of the kind?—No.

1142. Did you tell Mr. Vesey that you had had a conversation with Mr. Cook?—I cannot say.

1143. Will you undertake upon your oath to swear that you did not have a conversation with Mr. Vesey in reference to an interview that you had had with Mr. Cook?—I cannot swear that.

1144. Will you swear you had not?—No, I will not swear I did not mention that to Mr. Vesey.

1145. Will you swear that you did not mention about the 15 *l.*?—Not a word of that.

1146. If Mr. Vesey should say that you did, that would not be true?—That would not be true.

1147. I believe you spent the greater part of the night before the election at the "Bridge Inn"?—Some portion of the night I did.

1148. Pretty well all the night, was it not?—I do not know about all the night. I was in there when Mr. Vesey came to the house for me.

1149. That was the Liberal house?—Yes; but I don't know that I had not a perfect right to be there.

Wednesday, 18*th April* 1866.

WILLIAM EDWARD BAXTER, Esq., in the Chair.

Mr. Richard Hurley, sworn; Examined by Mr. *Powell.*

1150. Are you a Butcher residing at Bridgwater?—I am.

1151. And an elector of the borough?—I am.

1152. Now is your house situate opposite the room which was used at the last election as Mr. Westropp's committee-room?—Yes.

1153. What street was it in?—St. John-street.

1154. Do you know Mr. John William Vesey?—I do.

1155. Did he call upon you previous to the election?—He called with Mr. Westropp, in the canvass, not by himself.

1156. What did he say to you?—He said nothing to me.

1157. He came with Mr. Westropp?—Yes.

1158. And they canvassed you for your vote?—They did.

1159. Had you seen him at other places with Mr. Westropp canvassing?—I have seen him about that part of the neighbourhood continually, and Mr. Westropp during his canvass.

1160. Now, what was this room that was opposite your house in St. John-street?—It was a large room over a shop, in an unoccupied house.

1161. Have you seen Mr. Vesey going there?—Yes, I saw him go in repeatedly.

1162. Have you seen other gentlemen going into that room?—Yes, I saw lots of people.

1163. Just tell me the names of some of them?—I saw Mr. Lilly, Mr. Ritson, Mr. Jarman, Mr. Batten, and a number of others; I do not remember all of them.

1164. I understand you to say that you have seen Mr. Vesey repeatedly going into the room?—Yes.

1165. Have you seen him also walking up and down near the place?—Frequently.

Cross-examined by Mr. *Longfield.*

1166. What is Mr. Vesey?—I really cannot say.

1167. Is he a young man or an old man?—He is a young man; I think he is a lawyer.

1168. Where does he reside?—At Bridgwater.

1169. What part of Bridgwater?—I do not know his residence; I suppose he lives with his father, but I am not sure.

1170. Where does his father live?—In the square.

1171. How far is that from Mr. Smith's house?—About three or four minutes' walk.

1172. About a quarter of a mile?—Not quite a quarter of a mile.

1173. Do you know whether Mr. Vesey is married or not?—I do not believe he is married.

1174. He is a young man living with his father, I believe?—As far as I know, but I could not say *pro* and *con* to that. I do not know anything about his household affairs.

1175. Did you see him more than once in your life canvassing with Mr. Westropp?—I saw him several times.

1176. In the immediate neighbourhood?—Yes.

1177. You did not see him elsewhere?—I had not an opportunity of seeing him in other parts of the town.

1178. Was that in the neighbourhood of his own house?—No, that was in Eastover.

1179. What distance from the square?—The square is about the centre of the town, and Eastover is the east side.

1180. He is not in Mr. Smith's office now?—I cannot say about that; I saw him there a few days ago, when I went to get an order to remove some skins.

Mr. *R. Hurley.*

18 April 1866.

Philip Gilbert, re-called; Examined by Mr. *Powell.*

1181. You told us yesterday that you were a Carpenter?—Yes.

1182. Do you know Mr. Vesey?—Yes.

1183. Has he called at your house with anybody?—With Mr. Westropp.

1184. More than once?—Not with Mr. Westropp.

1185. Has he called at other times, by himself or with other persons?—I did not see him; he called at our house.

1186. Did they come to canvass you?—Yes.

1187. What did you say when you were canvassed?—I told Mr. Westropp that I should not promise him.

1188. Did Mr. Vesey say anything upon that?—Mr. Vesey told him he knew me very well, and that it was all right.

Cross-examined by Mr. *Sleigh.*

1189. You have known Mr. Vesey for some time, have you not?—Yes.

1190. He is a solicitor in Bridgwater?—I believe so.

1191. Carrying on business for himself?—I believe so.

1192. Formerly he was articled to Mr. Smith?—

1193. Mr. *Powell.*] Do you know anything about that?—I do not know.

1194. Mr. *Sleigh.*] For the last two or three years he has been carrying on his profession as a solicitor upon his own account?—I do not know whether it is so long as that or not.

1195. A couple of years?—It might be; I do not know.

1196. He has actually been employed by you as a solicitor, has he not?—He was in one case.

1197. That is some time ago?—And ever since that time he has been canvassing me for Mr. Westropp.

P. Gilbert.

P. Gilbert.
18 April 1866.

1198. That is not what you are asked; what you are asked is whether he is not carrying on his profession as a solicitor upon his own account, and has been so for a couple of years?—I believe so, but I do not know for certain.

1199. Do you know whether he is a married man or not?—I do not.

Re-examined by Mr. *Powell.*

1200. Is he old enough to go about canvassing?—I do not know.

THOMAS WEBBER sworn; Examined by Mr. *Powell.*

T. Webber.

1201. ARE you an elector at Bridgwater?—I am not.

1202. Do you live at Bridgwater?—I do.

1203. Do you know Mr. Vesey?—I do.

1204. Did you see him previous to the election going about the neighbourhood?—I saw him going about with Mr. Westropp.

1205. What were they doing?—Apparently canvassing from door to door.

1206. Who did you see with them besides?—Mr. Payne and several other gentlemen.

1207. I want their names, as near as you can recollect?—Mr. Payne and Mr. Smith.

1208. Which Mr. Smith?—Young Mr. Smith, Mr. Bealey Smith.

1209. Do you recollect any other at this moment?—Mr. Lilly.

1210. Do you know Mr. Boys?—Yes.

1211. Do you know Mr. Westropp's committee room?—There were two.

1212. Do you know the central one, as it was called?—In St. Mary's-street.

1213. Have you seen Mr. Boys there?—On one occasion I did.

1214. Did you go into the room?—I did.

1215. You saw Mr. Boys, you say, there?—Yes.

1216. What was he doing?—Sitting down at a table; he was not doing anything.

1217. Were there papers, and things of that sort, on the table?—Yes.

1218. And you saw him sitting there?—Yes.

1219. Besides having seen him in the room, have you seen him go into the room on other occasions?—On several occasions.

1220. Do you remember, on one occasion, passing a house called the "Old Cheese House"?—Yes.

1221. Did you see Mr. Boys there?—No.

1222. I believe it was a person of the name of Ford you saw?—Yes, I saw him.

Cross-examined by Mr. *Longfield.*

1223. In whose employment are you now?—No one's.

1224. You have been in Ruddick's employment?—Yes.

1225. How long ago?—Four or five years.

1226. Were you employed by Sir John Shelley and Mr. Kinglake, on the last election, or by Mr. Lovibond, their agent, or Mr. Cook?—I was employed at the last election.

1227. For whom?—On behalf of Sir John Shelley and Mr. Kinglake.

1228. Who employed you?—Well, I think it was Mr. Smith.

1229. Mr. Bealey Smith?—No, not Mr. Bealey Smith.

1230. What Mr. Smith?—Mr. John Smith.

1231. Who is Mr. John Smith; is he a solicitor of the town?—No, he is a grocer.

1232. What did he employ you as?—I delivered the addresses and bills.

1233. Were you a paid canvasser?—No.

1234. What were you paid for?—Paid for delivering addresses and printed bills.

1235. By Mr. John Smith?—I was not paid by him.

1236. Who paid you?—The election agent that was appointed; Mr. Barron.

1237. Is that Mr. Eustace Barron?—Yes.

1238. Were you in the committee room of Sir John Shelley and Mr. Kinglake?—Sometimes I was.

1239. What committee room?—In Fore-street.

1240. How many committee rooms had you?—I do not know how many; there was one in High-street for a short time, but that was closed; I think that was the only committee-room in Fore-street.

1241. What is the name of the house in Fore-street?—It was a private house.

1242. Do you keep it?—No.

1243. Who did?—A man of the name of Quick.

1244. I am told there are several John Smiths, which of the John Smiths employed you?—Mr. John Smith, the grocer, of York-street.

1245. Did you attend more than one day in the committee room?—I was there several days, in and out.

1246. In fact you were paid for attendance 11 days at the committee room?—Ten or 11.

1247. £.3. 15, and 4 *l.* 5 *s.*?—Yes.

1248. Was that all you had?—Yes.

1249. You worked hard for the 11 days?—Yes.

1250. Tell us some of the names of the gentlemen who were there during the 11 days' attendance?—The names of the gentlemen who went in and out?

1251. Who were principally at Sir John Shelley's and Mr. Kinglake's central committee room in Fore-street?—I saw a lot of gentlemen going in and out.

1252. You must remember the names of your own committee; tell us some of them?—There was a lot of gentlemen came in and out.

1253. Tell us the names of some of them?—Mr. Cook, Mr. Reed, Mr. Simmons, Mr. Collins, Mr. Bussell, and Mr. Smith.

1254. The man who employed you?—Yes.

1255. Any other Mr. Smith?—No, I think not.

1256. Was Mr. Wilton there?—Yes; Mr. Wilton was there.

1257. Was Mr. Sully there?—Yes.

1258. Were they in fact members of the committee, constantly in and out of the room?—Constantly in and out of the room.

1259. Did you see Sir John Shelley and Mr. Kinglake there?—I saw them one night, that is all.

1260. You voted for Sir John Shelley?—No; I am not an elector.

Re-examined by Mr. *Powell.*

1261. You are not an elector, but nevertheless you were employed?—Yes.

1262. And

1262. And the election agent himself paid you?—Yes.

1263. Now, about these gentlemen going in and out of the committee-room. Were there meetings of Sir John Shelley's and Mr. Kinglake's supporters in this committee-room of an evening?—Yes.

1264. Was that the occasion on which you saw these gentlemen?—Yes, of an evening.

T. Welber.

18 April 1866.

JOSEPH REEVES, sworn; Examined by Mr. *Powell.*

1265. ARE you a veterinary surgeon?—Yes, residing in Bridgewater.

1266. Do you know Mr. Veysey?—Yes.

1267. Have you seen him canvassing with anybody previous to the last election?—Yes.

1268. With whom?—With Mr. Boys, and many others.

1269. Do you know Mr. Westropp, who was the candidate?—Yes.

1270. Have you seen him with Mr. Veysey?—Yes.

1271. Did you ever have some conversation with Mr. Veysey about Mr. Westropp?—Yes.

1272. What did he say?—He said that he was attending to Mr. Westropp's interest.

1273. He told you so?—Yes.

1274. By the *Committee.*] Who said that?—Mr. Veysey.

1275. Mr. *Powell.*] Did he say anything more?—Yes.

1276. What?—He said that a trifle should not prevent him being returned.

1277. You have mentioned that you saw Mr. Boys canvassing with Veysey. Were you at the "Three Crowns Inn," in St. Mark's-street, for some time previous to the election?—Yes.

1278. Were many voters assembled there, and did you see them from time to time?—Yes.

1279. Did you see Mr. Boys at that inn?—Frequently.

1280. Have you heard him giving any orders?—Yes.

1281. What for?—Beer; he said "Have what you like, and I will pay for it."

1282. By the *Committee.*] To whom was that said?—To the landlord.

1283. Mr. *Powell.*] Was anything said about a bill, or an account?—Yes, it was an understanding.

1284. What was said?—There was a running account.

1285. Who said so?—Boys.

1286. Do you know where Mr. Westropp's central committee-room was, in St. Mary's-street?—Yes.

1287. Have you seen Mr. Boys go in there frequently?—Yes.

1288. How often?—He was running in and out daily.

1289. Have you heard him calling out any names, and so on?—Yes.

1290. Where was that?—He was giving instructions to different parties.

1291. Did you hear him call out names?—There were so many of them that he was giving instructions to, that I could not mention the names of the parties that were there.

1292. Did he seem to you to be taking an active part in the proceedings?—Yes.

J. Reeves.

Cross-examined by Mr. *Sleigh.*

1293. Did you vote at all?—No, I did not.

1294. How did that happen?—Because they did not serve me well.

1295. Who did not serve you well?—The Blue party.

1296. But you did not vote for the Buff party, did you?—No.

1297. You did not vote at all?—No.

1298. Had you promised either party?—No, I had not promised any one.

1299. Then the Blue party did not serve you well?—No.

1300. Were you upon the bridge during the night previous to the polling?—Yes, and gave a long speech.

1301. Where were you on the day of the polling?—In bed.

1302. You were in bed all that day?—I was.

1303. I am afraid the invitation which you say you had to drink as you liked, you accepted?—I am sorry to say I did drink a little too much.

1304. That is the fact, that upon the day of the poll you were in bed?—I might have had a little, but I was not incapable.

1305. And you may have had a little this morning perhaps?—Probably I might.

1306. By the *Committee.*] What do you mean by the Blue party not serving you well; do you mean that they refused to give you money?—Oh, no; they did.

1307. What do you mean?—They did not give me according to promise.

1308. The Blue party is the party of Kinglake and Shelley?—No; they are the Buffs.

THOMAS KNIGHT, sworn; Examined by Mr. *Hannen.*

1309. ARE you an elector of Bridgwater?—Yes.

1310. Do you know Mr. John William Veysey?—I do.

1311. Do you also know Mr. Westropp?—I do.

1312. Now, during the election, did you see Mr. Westropp going about canvassing?—I did.

1313. Was Mr. Veysey with him?—Yes.

1314. Did you see them go in and out of the electors' houses?—I did.

1315. Together?—Yes.

T. Knight.

JOHN STEVENS, sworn; Examined by Mr. *Hannen.*

J. Stevens. 18 April 1866.

1316. ARE you an elector of Bridgwater?—No.
1317. You reside there?—Yes.
1318. Do you know Mr. John William Veysey?—Yes; I do not know his Christian name, but I know Mr. Veysey.
1319. Do you know Mr. Westropp?—Yes.
1320. Did you see Mr. Westropp going about canvassing in Bridgwater?—I did.
1321. Did you see him going at different times of the day, and on several different days?—Yes.
1322. Was Mr. Veysey with him?—On one or two occasions I saw him with him.
1323. Did you see them go into the houses of electors?—I saw Mr. Veysey come from the "Railway Hotel" with him.
1324. That was the first occasion?—Yes.
1325. By the *Committee.*] Were they alone?—No.
1326. There were other gentlemen canvassing with them?—Yes.

Cross-examined by Mr. *Sleigh.*

1327. Mr. Westropp's canvass lasted about 10 days, did it not?—Well, I could not say how many days.
1328. On the one or two occasions when you saw Mr. Veysey with him, was that upon the first or one of the first days that Mr. Westropp was canvassing?—I think it must have been about the second or the third day.
1329. What part of the town, the Eastover part or the other part?—Near the railway station on the first occasion.
1330. Whether it was once or twice you will not be quite certain?—I will not.

FREDERICK CHARLES FOSTER, sworn; Examined by Mr. *Hannen.*

F. C. Foster.

1331. ARE you a clerk in Mr. Benjamin Lovibond's office?—Yes.
1332. Do you reside in Eastover?—Yes.
1333. How far is that from Mr. Westropp's committee-room?—A few yards.
1334. Is your house opposite?—Yes.
1335. Did you see the people who went in and out of the committee-room?—Yes.
1336. How often was there a committee meeting held?—Nearly every evening.
1337. At what o'clock?—Seven o'clock.
1338. Do you know Mr. John William Veysey?—Yes.
1339. Used you to see him going in and out of the committee-room?—Yes.
1340. Did that take place frequently?—Frequently.
1341. Did you see him go in and out with electors?—Electors went in and out, and he followed.
1342. I want to know whether you saw him take any in?—No.

Cross-examined by Mr. *Longfield.*

1343. Where are these committee-rooms that you are speaking of?—At the top of St. John-street
1344. Where were Mr. Kinglake's and Sir John Shelley's committee-rooms?—In Fore-street, I believe.
1345. Had they not committee-rooms at the "Commercial Hotel," too?—Not that I am aware of.
1346. Did you ever go to the "Commercial Hotel"?—I live there.
1347. Used you to see numbers of Sir John Shelley's and Mr. Kinglake's supporters going in and out there?—There were a few.
1348. From time to time, almost every day, did you not see them?—Yes.
1349. Were there any placards out of the windows of Shelley's and Kinglake's committee-room at that very hotel?—I do not remember that there was.
1350. Do you remember seeing any flags or placards out of that very hotel?—No, I do not recollect any.

Re-examined by Mr. *Powell.*

1351. This is an inn?—Yes.
1352. You have seen electors there?—Yes.
1353. Have you seen them at the bar?—No, I have not seen them at the bar.
1354. Where have you seen them?—In the passage.
1355. What were they doing?—Standing there.

Mrs. MARY PLOWMAN, sworn; and Examined by Mr. *Powell.*

Mrs. *M. Plowman.*

1356. ARE you the wife of Mr. Plowman, who is the assistant overseer of Bridgwater?—Yes.
1357. You reside in St. Mary-street?—Yes.
1358. You know, I presume, Bridgwater very well?—Yes.
1359. That is quite a different part of the town to Eastover, I believe?—It is.
1360. One is one side the river, and the other the other?—Yes.
1361. Do you you know Mr. Veysey?—Yes.
1362. Have you seen him with Mr. Westropp in St. Mary-street?—Yes, I have.
1363. What were they doing?—Going about to the electors' houses.
1364. By the *Committee.*] Were they alone, or were there other gentlemen with them?—Mr. Bealey Smith was with them.
1365. Anyone else?—Not in company with them.
1366. Did you see them often?—Well, several times during the day.
1367. On one day only?—On the same day that they called at our house.
1368. Mr. *Powell.*] Do you know Mr. Boys?—Yes.
1369. Do you know where Mr. Westropp's central committee-room was?—Yes, very well.

1370. Where

1370. Where was that?—Opposite to the house where I live.

1371. Have you seen Mr. Boys going into the room?—Yes, on several occasions.

Cross-examined by Mr. *Sleigh.*

1372. Can you tell me the day upon which you say you saw Mr. Veysey with Mr. Westropp; was it about the beginning of the canvass?—I should think it was about the first day of the canvass, but I am not sure.

1373. The first or second day?—Yes, it was the early part of the canvass.

Mrs. *M. Plowman.*

18 April 1866.

Mrs. Jane Quick, sworn; and Examined by Mr. *Hannen.*

1374. Do you live in St. John-street, Bridgwater?—I did then.

1375. Was Mr. Westropp's committee-room in that street?—Yes, opposite my house.

1376. Could you see the persons who went in and out of the committee-room?—Yes, I could see them all, but I could not tell all their names.

1377. But you could see the persons, whatever their names were, who went in and out of the committee-room?—Yes.

1378. Could you see them in the committee-room?—Yes.

1379. Do you know Mr. Veysey?—Yes.

1380. Did you see him go into that committee-room?—Yes.

1381. Did he go on few or many occasions?—I saw him a great many times go in there.

1382. Was he there when the committee meetings were held?—Yes.

1383. Besides being there when other gentlemen were there, was he also there by himself doing anything?—Writing.

1384. You saw him there writing?—Yes.

1385. By the *Committee.*] Where?—In the committee-room.

1386. Mr. *Hannen.*] Was he there for a long time writing?—In the afternoon, but I cannot say how long.

1387. Did you see him there for some time?—Yes, I did.

1388. Every afternoon, or only for one day?—Only one afternoon.

1389. You saw him only writing once of an afternoon?—Only writing one afternoon.

1390. Did you see him there some time during that afternoon?—Yes, I dare say he was there an hour, but I should not like to say.

Mrs. *J. Quick.*

Cross-examined by Mr. *Longfield.*

1391. Did many persons go in and out of this room?—Quantities of gentlemen I saw go in and out.

1392. A quantity of gentlemen as well as Mr. Veysey?—Yes.

Frederick Wood, sworn; and Examined by Mr. *Powell.*

1393. Are you a printer residing in Bridgwater?—I am.

1394. I believe you are an elector of the borough?—I am.

1395. Were you employed during the election to print some circulars?—I was.

1396. Look at that (*handing a circular to the Witness*), and tell me if that is one of the circulars that you printed?—Yes.

1397. How many of them did you print?—Fifty.

1398. Do you know Mr. Lilley?—Yes.

1399. Is he an elector of Bridgwater?—Yes.

1400. A gentleman who took a very active part in the election?—Yes.

1401. I believe he paid you for the printing of those circulars?—I do not know that he paid me; the fact is I sent the bill to Mr. Lilley through being advised to do so by one Walter Mansfield, of the firm of White and Mansfield, auctioneers.

1402. You say you printed 50 of these circulars?—Yes.

1403. Were they made use of?—I sent them to be made use of by White and Mansfield.

Mr. *Powell.*] This is the circular.

Mr. *Longfield.*] Before that is read, we must know to whom he sent them, and who ordered them.

1404. To whom did you send them?—Walter Mansfield came to me with a copy of that circular.

1405. Mr. *Powell.*] Is that the copy he brought to you (*handing a document to the Witness*)?—Yes.

1406. In whose handwriting is that?—Mr. Lilley's.

1407. The circular is: "Bridgwater, June 29, 1865. Dear Sir—A meeting of Mr. Westropp's committee will be held at the committee-room in St. John-street this evening, at seven o'clock, and every evening (Sundays excepted), at the same room, when your attendance is earnestly solicited. Yours faithfully, *J. W. Veysey*"?—Yes.

F. Wood.

Cross-examined by Mr. *Sleigh.*

1408. This manuscript, you say, is in Mr. Lilley's handwriting?—It is.

1409. You know Mr. Lilley personally, then, do you?—Certainly.

1410. Do you know Mr. Lilley personally?—I do.

1411. You say you were paid for this, as I understand?—I am paid for that.

1412. Who paid you?—I understood first of all that it was to be paid——

1413. If you will forgive me, I do not want to know what you understood; but I want to know the fact, who handed you the money?—It was paid to me by order of Mr. Mansfield.

1414. Never mind by whose order; but who handed you the money?—Walter Mansfield.

1415. By the *Committee.*] Who is Walter Mansfield?—A member of the firm of White and Mansfield, auctioneers; I believe they were employed by Mr. Lilley first of all.

1416. Do you know Mr Lilley's handwriting?—I do, very well.

1417. That circular was printed from his manuscript?—Yes.

F. Wood.

18 April 1866.

Re-examined by Mr. *Powell.*

1418. Although Mr. Walter Mansfield's was the hand that paid you, to whom did you make the charge?——

1419. Mr. *Sleigh.*] If you made a charge, you made it in your book, I suppose?—In this kind of thing there are very often great inconveniences as to whom it is to be charged to.

1420. You made it in some book, I suppose?—I did.

1421. By the *Committee.*] To whom did you send the bill?—I believe I sent the bill to Mr. Lilley.

Mr. Edward Conrad Stokes, sworn; Examined by Mr. *Hannen.*

Mr. *E. C. Stokes.*

——

1422. Are you the proprietor of the "Bridgwater Standard"?—Yes.

1423. You reside at Bridgwater, and have done so for some years?—Yes.

1424. Now, in June of last year, or July, did Mr. Lilley come to you about one of your rooms?—Yes.

1425. What arrangements did you come to with him about letting your room; what was the room to be let for?—As a committee-room for the election.

1426. Now, shortly after that, did Mr. Veysey call upon you?—Yes.

1427. What did he come to you for?—For the key of the room.

1428. Did you give it him?—He did not have it then.

1429. Did you afterwards give it him?—Afterwards, he had it.

1430. And did he retain it?—Yes, I believe so.

1431. Did you see Mr. Veysey from time to time during the election?—Yes.

1432. Did he say anything to you upon the subject of printing?—He told me that I should do the printing for that committee.

1433. And did you do the printing for that committee?—No, I did not.

1434. Did you do some of it?—No.

1435. Had you not some notices to the electors to do?—Yes, but that was not for that committee; that was previous.

1436. What was this printing which you did?—It was a handbill, announcing a meeting to be held.

1437. Have you got a copy of that?—Yes.

1438. Did you also print a copy of Mr. Westropp's address?—That was printed as an advertisement in the newspapers.

1439. Did you send in an account for that to Mr. Trevor?—Yes.

1440. Have you been paid for that?—Yes, for the advertisement.

1441. Have you also been paid for the use of the room, of which you say you gave the key to Mr. Veysey?—Yes.

1442. By whom were you paid?—For the room, by Mr. Lillie.

1443. You say that you printed the address of Mr. Westropp; who brought you the copy of that which you afterwards printed?—The copy that was to be advertised, I cannot remember who brought.

1444. Do you remember that it was one of two persons?—Yes.

1445. Who were the two persons, one of whom you remember it was?—It was either Mr. Smith or Mr. Boys; it was brought from Mr. Smith's office.

1446. You do not remember whether it was Mr. Smith himself, or his clerk, Mr. Boys?—No, I do not.

1447. Were there two brought to you to be printed?—The address was brought to be printed in the paper; the other handbill was brought to be printed as a handbill; one was brought by Mr. Smith, and the other by Mr. Boys.

1448. By the *Committee.*] Which Smith?—Mr. Bealey Smith.

Mr. *Powell* intimated that the rest of the evidence with respect to Mr. Veysey's agency was of a similar character, and inquired whether the Committee would wish him to produce further evidence upon that subject.

The *Chairman* stated that the Committee would not require Mr. Powell to produce further evidence with respect to Mr. Veysey, but they wished to have evidence with respect to Mr. Stroud.

Mr. John Cruess, sworn; Examined by Mr. *Powell.*

Mr. *J. Cruess.*

——

1449. Are you a reporter now residing at Cirencester?—No, at Manchester; I am on the "Manchester Examiner and Times."

1450. Were you some time previous to the last election reporter to the "Bridgwater Mercury"?—I was.

1451. Do you remember the evening of Mr. Westropp's arrival in the borough, when he addressed the electors?—I remember it perfectly.

1452. Did you attend that meeting as a reporter?—I did.

1453. Do you know Mr. Edward Stroud of Bridgwater?—I do.

1454. I believe he had been a chemist in the town?—Yes, he was a chemist there, and I suppose he is now.

1455. Was there a platform in the room?—There was.

1456. About how many persons were on the platform?—I should think probably there might have been a dozen.

1457. And in the body of the room, about how many were there?—I really do not know the capabilities of the room, but it was pretty well crowded.

1458. Do you remember who took the chair?—Mr. Ruddick.

1459. Did anybody propose a resolution?—Yes.

1460. Who was that?—Well, I really forget at the moment.

1461. Do you know Mr. Lilley?—Yes.

1462. Do you recollect whether it was he?—Mr. Lilley took part in the proceedings.

1463. Who else?—Mr. Joseph Richard Smith took part; and also Mr. Smith, the solicitor, was there.

1464. Do

1464. Do you know Mr. Boys?—Yes.
1465. Was he there?—He was.
1466. Was Mr. Stroud there?—Mr. Stroud was there.
1467. Did you hear the resolution proposed and seconded?—Yes.
1468. Can you tell us what it was?—The resolution that was proposed at the meeting was, that certain parties who were mentioned there should form a committee, to aid in securing the return of Mr. Westropp.
1469. Mr. Stroud was there you say?—Yes.
1470. Was he one of the persons taking part in the proceedings?—Yes; he was not on the platform, but he was there in the body of the hall, and took a prominent part in the proceedings.

Mr. *J. Cruess.* 18 April 1866.

Mr. *Powell* stated that this was all which the witness had to say with respect to Mr. Stroud, but that he should have to call him with respect to some of the other agencies.

The *Chairman* stated that the Committee desired now to hear evidence with respect to Mr. Stroud.

THOMAS WEBBER, recalled; Examined by Mr. *Powell.*

1471. Do you know "the Duke of Wellington Inn," at Bridgwater?—I do.
1472. Do you know Mr. Edward Stroud?—I do.
1473. Were you at that inn a few days after the election?—I was.
1474. And saw him there?—I did.
1475. Was a person named Haslin there?—Yes.
1476. And other persons?—Yes.
1477. What was the subject of conversation?

Mr. *Longfield* objected to this question, on the ground that it was a matter which occurred after the election.

Mr. *Powell* was heard in support of the question.

The *Chairman* stated that the Committee were of opinion that the examination should proceed.

T. Webber.

1478. Mr. *Powell.*] You say that you were talking with him about the election?—Yes.
1479. What did he say?—He produced a book of the money he had spent day after day.
1480. What did he say about it?—He said he had put it down until he was tired of putting it down, and he should hope to get it back again some day or other.
1481. By the *Committee.*] He put down what he had spent about what?—Treating the people about the election.
1482. Did he say so?—Yes.
1483. Mr. *Powell.*] Did you look at the book yourself?—Yes, I saw the book.
1484. You saw some of its contents?—I did.
1485. By the *Committee.*] What is Stroud?—He was a chemist then, but now he is keeping an inn at Burnham.

Mr. WILLIAM PLOWMAN, sworn; Examined by Mr. *Hannen.*

1486. Do you reside in St. Mary's-street, Bridgwater?—I do.
1487. Do you know Mr. Westropp's central committee-room?—Yes.
1488. Where was it?—In St. Mary's-street, opposite my dwelling-house.
1489. Could you see people who went in and out of that committee-room?—Yes.
1490. Do you know Mr. Edward Stroud?—Yes.
1491. Have you seen him going in and out of that committee-room?—Yes.

Mr. *W. Plowman.*

Cross-examined by Mr. *Sleigh.*

1492. And a great many other people going in and out?—Yes.

MARY PLOWMAN, recalled; Examined by Mr. *Powell.*

1493. Do you know Mr. Edward Stroud?—Very well.
1494. You have told us that you live opposite this committee-room; have you seen him going in and out?—On several occasions.
1495. I do not know whether you have seen him out of the committee-room?—I saw him about a good deal during the election.

Mr. *Powell* stated that that would be the case of the Petitioners as against Mr. Stroud.

Mary Plowman.

The *Chairman* asked whether there was anything against Mr. Heal.

Mr. *Powell* stated that before he gave any further evidence with respect to Mr. Heal, he wished to go into further evidence as to the case of Mr. Boys.

HENRY FORD, sworn; Examined by Mr. *Powell.*

1496. Do you live at Bridgwater?—Yes.
1497. What are you?—A labourer.
1498. Do you know Mr. Joseph Richard Smith of Bridgwater?—Yes.
1499. Is he a pawnbroker there?—Yes.
1500. Now, did he on the 10th of July give you some directions about some blue flags?—Yes.
1501. Do you know Mr. Boys?—Yes.
1502. Do you also know the "Bull and Butcher" Inn?—Yes.
1503. In consequence of the directions that Mr. Joseph Richard Smith gave you, did you go to the "Bull and Butcher Inn?"—Yes.
1504. Did you see Mr. Boys there?—Yes.

H. Ford.

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1505. What did Boys say to you?—He said we were to wait there until we got orders to bring the colours out.

1506. By the colours, do you mean the flags?—The flags.

1507. Did you accordingly wait there?—Yes.

1508. After you had waited some time, did Mr. Joseph Richard Smith come?—Yes.

1509. Did you take the flags out?—Yes.

1510. Do you recollect the nomination morning?—Yes.

1511. Were you at the "Bull and Butcher" then?—Yes.

1512. Who gave you orders to be there?—Mr. Smith.

1513. Did you see Mr. Boys there?—No, not then.

1514. When did you see Mr. Boys again at the "Bull and Butcher"?—The same day.

1515. Had you seen him before you went to the "Bull and Butcher" that day?—Yes.

1516. Had he given you any orders?—Yes.

1517. What?—To wait there until he gave us further orders.

1518. That was what Mr. Boys told you?—Yes.

1519. Did you go there and wait?—Yes.

1520. Do remember the morning of the poll?—Yes.

1521. Did you see Mr. Boys then?—Yes.

1522. Were a lot of you flag-bearers together?—Yes.

1523. What did Mr. Boys say to you?—He said we were to go to the "Bull and Butcher," and wait there.

1524. Did he tell you to have anything?—A pint of beer each.

1525. Did you go?—Yes.

1526. Being there, did Mr. J. R. Smith come?—Yes.

1527. Did you see him?—Yes.

1528. Did he give you directions to go any anywhere?—Yes.

1529. Where did you go to?—To Mr. Pimm's.

1530. Is that the "Golden Lion"?—Yes.

1531. Did you continue parading the town all the day with these flags?—Yes.

1532. A day or two after the poll-day, were you to be paid for your work?—Yes.

1533. Did you go to the "Bull and Butcher" for that purpose?—Yes.

1534. Did you see Mr. Boys there?—Yes.

1535. What did he say to you?—He called me outside into the passage, and handed me the money.

1536. What did he say?—He said, here is something for you.

1537. What time of the day was that?—About 11 o'clock.

1538. Do you remember on the nomination morning his giving you a note?—Yes.

1539. Did you ask him for anything?—Yes.

1540. What did you ask him for?—I asked him for a pint of beer.

1541. And you say he gave you a note?—Yes.

1542. Did you take the note to Mr. Newton?—Yes.

1543. And did you get the pint of beer?—Yes.

1544. Do you know a Mr. Furze?—Yes.

1545. Who is he?—A bill poster.

1546. Did you go with him to the committee-room in St. Mary's-street about some bills that were to be posted?—Yes.

1547. Did you see Boys there?—Yes.

1548. In the committee-room?—Yes.

1549. Did he give Ford anything?—He gave him some papers.

1550. What did he tell him to do with them?—Stick them up about the town.

1551. This was in the committee-room?—Yes.

1552. What was he doing when you saw him in the committee-room?—He was writing.

1553. How many times were you in the committee-room altogether?—I might have been there three or four times.

1554. Did you see Mr. Boys there when you went?—Yes.

1555. Did you hear him give orders?—No, nothing more than that.

1556. You say he was writing there?—Yes.

Cross-examined by Mr. *Sleigh.*

1557. About what o'clock was it that you say Boys paid you?—About 11 o'clock.

1558. Are you speaking of the morning of the polling day?—No, the day after.

1559. Where was it that he paid you?—At the "Bull and Butcher."

1560. Who was present?—Oh, lots of people.

1561. Tell me the name of any human being who was present, and saw you paid any money by Boys?—No one saw him pay me, because he came out in the passage to do it.

1562. You are not an elector?—No.

1563. You talked about the colours for the Blues. How many were there carried about on the other side?—I cannot say.

1564. A great many?—Yes.

Mr. Alfred Bidgood, sworn; Examined by Mr. *Hannen.*

Mr. *A. Bidgood.*

1565. Are you a printer in Bridgwater?—Yes.

1565.* Do you know Mr. Thomas Henry Boys, the clerk to Messrs. Smith?—Yes.

1566. Do you remember the evening when Mr. Westropp came into Bridgwater?—Yes.

1567. Did you see him come in, in a carriage?—Yes.

1568. Was Mr. Boys with him on that occasion?—He was riding on the seat of the carriage, outside.

1569. Was it an open carriage?—No, it was not.

1570. Did they proceed to the meeting?—Well, I cannot say.

1571. Did you go to the meeting?—I went to the meeting.

1572. Did you hear Mr. Westropp address the meeting?—I did.

1573. Where was Mr. Boys?—Sitting on the side of the platform.

1574. Did you see him distributing anything?—No; I cannot say that I did.

1575. Did you see him with any placards, or anything of the kind, in his hand?—No; I cannot say that I did.

1576. You distinctly understand what I mean; did you see him with any printed addresses in his hand?—No; not Mr. Boys.

Cross-examined

Cross-examined by Mr. *Longfield.*

1577. There were a great number of persons in the room?—Yes; a great number.

1578. Of the supporters of all the candidates, Sir John Shelley and Mr. Kinglake?—Well, I did not see many supporters of Sir John Shelley.

1579. Did you see some there?—No, I do not know that I saw one.

The Counsel and parties were directed to withdraw.

After some time the Counsel and parties were called in, and the Chairman stated that the Committee were unanimously of opinion that they had heard quite sufficient evidence for the Petitioner, and that they were now ready to hear the defence.

Mr. *Longfield* wished to know whether the evidence for the Petitioner was closed.

Mr. *Powell* stated that he was quite willing to leave the case as it stood.

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Mr. *Longfield* was heard to open the case on behalf of the sitting Member, and during the course of his address proposed to open counter-charges against Sir John Shelley and Mr. Kinglake.

The Counsel and parties were directed to withdraw.

After some time the Counsel and parties were called in, and informed by the Chairman, that the Committee having deliberated, had resolved at present to confine the question to the case of the sitting Member, Mr. Westropp.

Mr. *Longfield* stated that he should of course reserve to himself the power of going afterwards into the other matter.

HENRY WESTROPP, Esq., a Member of the House, having been sworn, was Examined by Mr. *Sleigh,* as follows:

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1580. YOU are the sitting Member for Bridgwater?—Yes.

1581. I believe you stood as a candidate for Bridgwater upon the former occasion?—Yes, in the year 1859.

1582. Upon that occasion you were an unsuccessful candidate?—Yes.

1583. You polled a large number of votes?—I think, 282.

1584. You were defeated by about 80?—I was defeated, I think, by the same majority as I defeated Mr. Kinglake now by; but it was always considered that the majority by which the gentleman who was running with me was defeated was mine also, and in fact it was 41.

1585. Upon that, after being defeated, in consequence of the favourable reception you met with, you continued your acquaintance with the people of Bridgwater?—Yes; I went down to thank them, not having the slightest intention of standing again; some of the gentlemen who supported me had a supper, and they all expressed a wish that I should stand again; the Parliament was not expected to last very long, but it went on from one thing to another for six years.

1586. And you did stand again?—I did.

1587. Having reference to the date of the election, the month of July, when did you first visit Bridgwater?—Just previously to the election; there is generally a Conservative meeting held there in May, and it so happened that this year Mr. Ruddick was obliged to absent himself in Ireland on account of the death of a friend.

1588. Will you kindly confine your attention to the question, and give your answers as shortly as possible; when was it that you first went down there?—I think it was the 18th of May.

1589. You visited the town, and, I believe, met with a very enthusiastic reception?—Yes.

1590. Now, about the 24th of June you made your appearance in Bridgwater as a candidate?—Yes.

1591. By whom were you met when you arrived there?—Mr. Ruddick, I know, met me, but I cannot precisely recollect who else it was.

1592. You went to the "Clarence Hotel" where you stopped?—Yes.

1593. You resided at the "Clarence Hotel" during the time of your living at Bridgwater?—Yes.

1594. Now, I believe, at the "Clarence Hotel" there was a large room which was used occasionally for the meetings of your supporters?—Yes.

1595. You remember the meeting which has been spoken of by some of the witnesses who have been called here?—Yes.

1596. Now, at that meeting a resolution was proposed with reference to yourself, and adopted?—Yes.

1597. At that meeting, by you or by any person in your hearing, was any committee of persons individually named?—Certainly not; there was a resolution, the wording of which I really forgot at this moment, for I have never taken the trouble of looking at it since, appointing the committee in a general way to further the purposes of the election; but there was no one named, nor did I in any way connect myself with that or any other committee.

1598. I believe, as we have heard to-day, the room was crowded?—There were a good many people there.

1599. Besides persons whom you knew in that room, were there persons whom you did not know?—I knew a great number of them.

1600. But were there others whom you did not know?—Of course there was a great number of persons whom I did not know.

1601. Were there at that meeting persons who afterwards in the course of the election, you recognised as the supporters of Mr. Kinglake and Sir John Shelley?—No; I cannot say there were, but I have reason to think there were.

1602. During the whole of the election, did you engage, or visit, any room which has been called a committee-room by the witnesses here to-day?—On the contrary, I studiously avoided going into any place of meeting or of committee, or in any way connected with the election.

1603. In point of fact, during the whole of the election, had you any committee, in the proper sense of the term, of persons acting for you?—Not that I am aware of; not the slightest; I am not aware of any person acting for me.

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1604. I believe the election agent was Mr. James Trevor?—Yes.

1605. Mr. *Powell.*] For election purposes?—Yes.

1606. Mr. *Sleigh.*] But your professional agent was Mr. Smith, junr.?—In point of fact, I spoke to him upon a subject that might be connected with the election, the general politics of the election.

1607. Mr. Smith, junr., acted for you?—Yes.

1608. I believe, Mr. Smith, senr., was not engaged by you?—Quite the reverse; Mr. Smith, from the moment that the last election took place, told me, in the most positive terms, that he would not act.

1609. Mr. Smith, senr., was not your agent, or in any way acting for you?—Certainly not.

1610. Of course, like every other candidate for Parliamentary honours, you canvassed the borough?—Yes.

1611. During the canvass, by whom were you generally accompanied?—I had no particular person to go with me, and I have been several times obliged to go about and see if I could get any person to accompany me.

1612. You often went alone? — Never alone, canvassing; but I very often found a difficulty in finding any of the gentlemen, who I may call the Blue party, there to go with me.

1613. Sometimes one gentleman, and sometimes another went, I suppose?—Yes; it was never arranged, nor did I ever know whom I was to go with.

1614. You went out, I suppose, from the Clarence upon your canvassing, and sometimes had one gentleman, and sometimes another, to accompany you upon the canvass?—Yes.

1615. Did you ever attend at a committee-room, which has been mentioned, as being in St. Mary-street; did you ever attend any meeting there?—Certainly not.

1616. Had you any committee meeting in that room, or any persons meeting there, with your knowledge or sanction?—I did not even know where it was, I assure you.

1617. Did you engage such a room, or know that such a room was engaged? — Certainly not.

1618. Or pay for such a room?—Certainly not.

1619. Now, as regards that room in St. John-street, did you engage any room there?—Yes.

1620. Was there, with your knowledge or consent, any committee sitting there?—No.

1621. Have you paid for any such room there?—No.

1622. You never went there?—No.

1623. Has any demand been made upon you in respect of either of the places you have named?—No.

1624. Now, with respect to a person whose name has been mentioned in the course of this inquiry—Mr. Boys; you know to whom I refer?—I know Mr. Boys.

1625. Did Mr. Boys accompany you upon your canvass upon any occasion during the whole of the election?—Certainly not, at any time.

1626. I ask you to apply your mind carefully to that; you have heard the statement made here to-day; is it true that Mr. Boys ever accompanied you upon any occasion during your canvass?—I am perfectly certain he did not; I do not think I saw Mr. Boys three times during the election, and I am as convinced as I am that I sit here, that he never accompanied me upon the canvass.

1627. Did you, upon any occasion, give this person, Boys, any instructions to do anything on your behalf, during the whole of the election?—Never.

1628. Now, with respect to Veysey; when did you first see him during the election?—I might have seen him the night I arrived; I probably did, because all those persons who were interested for my election were in the room; I am not prepared to say I did, but I think it is exceedingly likely that I did, for the reason that I have given, but I know nothing about it.

1629. Now just apply your mind to this: you have heard to-day, the statement made by the witnesses, as to Veysey accompanying you during the canvass?—Yes.

1630. How about that?—There were two occasions on which Mr. Veysey came; if you will allow me, I should just like to say a few words upon that; it is quite pertinent to the questions; a little before, Mr. Smith and Mr. Veysey were together in London studying; they did not live at the same house, but at separate houses ——

Mr. *Powell.*] How can this be evidence?

1631. Mr. *Sleigh.*] Will you just tell me this: how often, if at all, did Mr. Veysey accompany you upon your canvass, and state the circumstances under which that was?—I really forget now, but it was early in the canvass, I met Mr. Veysey in the street when we were going out, and he wished to accompany us; I did not like Mr. Veysey's manner; I had no particular affection for him; I forget to whom it was I said it, but I said that I wished him to go away.

1632. Did he accompany you upon that occasion?—No, certainly not; where I went I cannot tell, but he ceased to come.

1633. You made a communication to some one who was walking with you, and immediately afterwards Mr. Veysey disappeared?—I cannot say immediately, but he left very shortly after.

1634. He did not accompany you upon that canvass?—No, certainly not.

1635. Upon any other occasion was Mr. Veysey present with you when you were canvassing?—No, certainly not, at any time.

1636. Now I ask you, upon any occasion in Barkley-street, or at any other place or time during the election, was this person Veysey with you?—Yes; when we were going down Barkley-street, I think Mr. Lilley was with me, and we found a great difficulty in finding out where a voter lived; Mr. Veysey was crossing up the upper end of the street, and I called to him, "Do you know this street?" and he said "Perfectly well," and I said "I wish you would come," and he went the length of the street with us.

1637. Upon any occasion did Veysey start out with you in the morning?—Certainly not.

1638. That occasion you spoke of, was to show you some place with which you were not familiar?—He was passing in Barkley-street, it is in what is called Eastover.

1639. Upon that occasion did he show you the houses that you wanted to go to?—He showed us the house in the street.

1640. Upon that occasion or any other, did he take any part in your canvass, or did you allow him

him to take any part in your canvass?—Certainly not.

1641. As a matter of fact, did you refuse to permit him to act as your agent, or in any way during the election?—I know nothing about that; he never applied to me.

1642. He never personally applied?—Never.

1643. Did you ever appoint him or authorise any other person as your agent?—Certainly not.

1644. Or to act for you in any shape or form?—Certainly not.

1645. Have you ever seen this circular, dated Bridgwater, June 29th, and purporting to be signed by J. W. Veysey. Did you ever see that, or know anything at all about it, until it was produced in the Committee-room to-day?—No, I never did.

1646. You never saw it before to-day?—No.

1647. Did you know that such a circular was issued, or give any authority for its being issued?—Certainly not.

1648. I see that in this there is a committee-room in St. John's-street mentioned. You knew nothing at all about that committee-room, or any committee meeting there at all?—Certainly not.

1649. You canvassed the borough?—Yes.

1650. Have you brought your canvass book with you?—Yes.

1651. Now, tell me before the day of polling in what position were you as regards promises?—I forget what day it was, but my nephew arrived from Dublin, and I got him to add up the numbers, and he told me that I had 325 promises.

1652. Had you, at any rate, a large number of promises before the day of polling?—Yes.

1653. Mr. *Powell.*] Is that book made by yourself?—Yes, it is made by myself.

1654. Mr. *Sleigh.*] Is that the book which you carried with you during your canvass, and are the entries in that book entries made by yourself?—By myself; everything in it was written by myself.

1655. Now, refreshing your memory by reference to that book, had you promises from 325 constituents?—Yes.

1656. You remember a man of the name of Cooze?—Yes.

1657. And you canvassed him?—I went to his house, but I did not see him, nor should I know him.

1658. You saw some person there, his wife, I suppose?—I do not know whether I saw his wife, but I saw his daughter.

1659. Look in your book and refresh your memory. Was Cooze one of the voters who promised to vote for you?—No, he was not; he never promised that I am aware of.

1660. Before the election you had a communication, you say, either with his wife or his daughter upon the subject?—I met the daughter several times in the street, and whenever I passed her I always said, "I hope you will get your father to vote for me."

1661. Now, with reference to Cooze and the two other cases which have been mentioned here to-day, have you the slightest knowledge of any authority given, that any money or promise of any money should be given to these parties?——

Mr. *Powell* stated that that was not alleged in the Petition, and there was no such allegation made.

Mr. *Sleigh* said he was aware of that, but he thought it right to put it to Mr. Westropp.

1662. Upon your honour, as a gentleman and a Member of Parliament, and upon your oath, did you expend one shilling more in the course of this election than the sum which is returned by the returning officer?—Certainly not.

1663. Or enter into any bargain, promise, or engagement to pay any further sum than that which is returned as the sum of your legal expenses?—Certainly not.

1664. Now there is a person of the name of Stroud whose name has been mentioned?—Yes.

1665. Did he ever accompany you on your canvass?—No.

1666. Had you any communication during the whole of this matter with this person, Stroud?—Nothing, except meeting him occasionally in the street, and saying "How do you do"?

1667. Now, with respect to Stroud, I will put this further question to you: did you authorise or direct him to do any act for you during the whole of that election?—No, certainly not.

1668. Was he of any assistance; did he assist you actively in the matter?—Not that I am aware of; all I know is that I canvassed him, and nothing more than that, and occasionally met him in the street.

1669. A person of the name of Harden has been mentioned: did he accompany you, or act with you or for you, in any of these matters?—No, certainly not.

1670. A person of the name of Heal has been mentioned: did he do anything for you or act for you?—Not that I am aware of. I do not think that I saw Mr. Heal twice during the election.

1671. Now, Mr. Harwood's name has been mentioned: did he act for you or with you during the election and take any part in it any more than any other elector?—I do not even know Mr. Harwood by sight.

1672. Mr. Lilley's name has been mentioned here to-day and yesterday. You have heard the evidence which was given in reference to his acts?—No, I did not hear anything with regard to Mr. Lilley.

1673. Did you give Mr. Lilley any instructions to do any specific acts for you during the whole of the election?—Certainly not.

1674. By that I mean to engage committee-rooms, or do anything else of the kind?—Certainly not.

1675. Or form committees, or anything of that kind?—Not at all in any way.

1676. As regards Mr. Lilley, did he do anything more to your knowledge than act as a friend and elector?—He accompanied me sometimes on a canvass, and sometimes not. He went away once for two days. I believe there was some meeting or some jollification, and he did not accompany me, and I was pretty savage about it, for I was left almost without anybody.

Cross-examined by Mr. *Powell.*

1677. How many times have you been a candidate for a seat in Parliament?—Only at Bridgwater.

1678. Is it your experience that candidates do themselves give specific instructions to their agents?—I know nothing about electioneering.

1679. As far as you do know, is it your experience that the candidates themselves give what my

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my friend calls specific instructions?—I have had no experience, and therefore I do not know.

1680. You have canvassed Bridgwater twice?—Yes.

1681. As far as that experience has gone, is it your experience that candidates do give what my friend calls specific instructions to persons to act as their agents?—I am not aware that they do.

1682. You remember perfectly well the meeting that took place at the "Clarence" on the night of your arrival?—Yes.

1683. You have told my friend that you had nothing to do with that resolution; did you hear it proposed, seconded, and carried?—Certainly.

1684. Did you get up and say, "I object to anything of the sort"?—Certainly not.

1685. You made no objection at all?—No.

1686. Tell me this, if you please: you say that no particular person canvassed for you; who did canvass with you?—Mr. Ruddick, Mr. Lilley, Mr. Bealey Smith, and occasionally Mr. John Trevor, and Mr. William Price.

1687. Now be kind enough to tell me this: do you know Mr. Lilley?—I have mentioned him.

1688. Mr. Payne?—Yes; he did not canvass.

1689. He accompanied you?—Yes.

1690. Do I understand that you draw a distinction between accompanying you on your canvass, and canvassing?—Certainly not; but so far as that is concerned, you mention Mr. Payne, and it being the first occasion on which there is no difference, I mentioned it.

1691. Do you recollect anybody else?—If you will ask me the names, I will tell you.

1692. I would rather they came from yourself, if you can give them to me?—I really do not recollect.

1693. Those gentlemen, I think, are all lawyers, I think except one, and that is Mr. Lilley, the auctioneer?—Yes.

1694. Do you know Mr. Joseph Richard Smith?—Yes.

1695. Was Mr. Joseph Smith the seconder of that very resolution which I have been asking you about?—I really do not know, but I am under the impression that he was not.

1696. Oblige me by trying to recollect?—I cannot recollect, but I am under the impression that he was not.

1697. But if you had heard it sworn in this room that he had been, you would think, I suppose, that your impression was wrong?—I really do not know; I know Mr. Ruddick put it from the Chair, and I recollect hearing it stated here that Mr. Lilley proposed it.

1698. At any rate, you do know Mr. Joseph Richard Smith very well?—Yes, very well.

1699. Mr. *Sleigh.*] I think what was proved was that he seconded Mr. Westropp at the nomination, and not the resolution at the meeting?—I think that was so.

1700. At any rate this gentleman did second you at the nomination?—Yes.

1701. Have you any doubt whatever that he also accompanied you on your canvass?—He certainly never did.

1702. That you will undertake to say?—That I will undertake to say.

1703. Then your own seconder did not accompany you on your canvass?—Certainly not.

1704. I presume he is here?—I do not know whether he is or not.

1705. Have you seen him in London?—No, I have not.

1706. Do you know Mr. William Pimm; is he the man who keeps the "Golden Lion"?—I know he keeps a public-house, but I do not know the name of the place.

1707. Do you know Mr. Pimm?—Yes.

1708. How often have you and Mr. Pimm been in company together?—Never. I have met him in the street, and shaken hands with him, but I was never in company with him.

1709. Have you not walked in the street with him?—I think I recollect that in the street in which he lives I asked him one day to show me the houses, but certainly not more than that.

1710. Did he go with you and show you the house?—I think he did.

1711. Could you oblige me with the name of the voter whom you called upon?—I think I can.

1712. Who was it?—I think it was William Poles.

1713. Probably the man who has been called here?—No; he is a tailor, and lives in that street.

1714. Do you not know that that William Pimm is the keeper of the house we have heard so much of, the "Golden Lion"?—I do not know the name of the house.

1715. Did you ever hear of the "Golden Lion" before to-day?—I have heard of it to-day. I know Pimm's house, and I could walk straight to it, but I do not know the name of it.

1716. Without any reference to Pimm at all, did it happen to you to ever hear of the "Golden Lion"?—No.

1717. You did not know that there was such a place in Bridgwater?—I did not know.

1718. I understand you to say it was in his own house that you met Pimm?—Yes.

1719. Did you not know that Pimm kept a public-house?—Yes; but I do not recollect ever to have heard the name "Golden Lion."

1720. Had you ever been in the house to canvass him, and subsequently to thank him for having voted for you, on any other occasion?—No.

1721. Have you ever been in the yard?—No, except on one occasion, I passed through the front door, and he has got a door that is in the street, and I went through it; that was the whole thing.

1722. You went in at one door, and out at another?—Exactly.

1723. And you really did not know, and never heard, that this was the "Golden Lion"?—I certainly did not.

1724. Besides going to that person, did he ever go with you to any other place?—Not that I recollect.

1725. Do you think that you could venture to say that he did not?—I think I can.

1726. Will you?—Yes, I will.

1727. He never accompanied you?—I should say that he certainly did not.

1728. Will you undertake to pledge yourself that he never accompanied you except on that occasion; I do not ask you whether he canvassed, but will you venture to say this, that he never accompanied you except on that occasion?—I do not think he did.

1729. Will you pledge yourself to that?—I will

will pledge myself to the best of my knowledge.

1730. Do you know a man named Edwin Phillips?—Yes.

1731. Who is he?—A draper in the town.

1732. An active supporter of yours?—I do not know about his being active; he is a friend of mine, but not particularly active, I believe.

1733. A supporter?—A supporter.

1734. Has he been out with you?—No.

1735. Never?—Never.

1736. Are you quite sure about that?—Perfectly.

1737. Do you know Mr. Henry William Batty?—Yes.

1738. Who is he?—I can hardly describe what he is; he was a bookseller, but I think he is now employed in the telegraph.

1739. Were you at the hustings?—Of course I was.

1740. Not at the nomination, but during the poll?—No.

1741. Were you at the polling booths?—I went into a polling booth, and I heard Mr. Baron poll; I went away and after that I did not return. I was wandering about in front of the places during the day, but I do not think I was in it again until the afternoon after the polling had ceased.

1742. I did not ask whether you were actually in the booth, but were you about the hustings at the time of the polling?—Yes.

1743. Do you remember this Mr. Batty coming up with the tallies, as they are called?—No.

1744. Did you see him at all during that day?—No.

1745. Did he accompany you at all?—No.

1746. Did you ever hear of the name of the "Bull and Butcher"?—No, I have not; I have not an idea where it is; I do not mean to say it is not there, but I do not know where it is.

1747. You actually never heard of the "Bull and Butcher"?—I never did hear of it; with the exception of the "Clarence Hotel," I hardly know the name of another hotel at Bridgwater.

1748. Did you ever hear of the "Albion"?—Yes.

1749. Who keeps the "Albion"?—Mr. Grantham, I think.

1750. How often have you been at the "Albion"?—Once.

1751. When was that?—When I went to canvass to Mr. Grantham.

1752. May I ask who accompanied you on that occasion?—I cannot tell, for I cannot recollect; I would tell you in a moment if I did.

1753. Did you ever see Mr. Boys there?—Certainly not.

1754. Do you know the "Dolphin"?—No.

1755. You never heard of the "Dolphin"?—I did not know the name of the hotel.

1756. Do you or do you not know the name of the "Dolphin"?—No.

1757. You never heard of that?—I may have heard of it, but I do not know where it is.

1758. Did you ever hear of the "Three Crowns"?—Yes, I know the "Three Crowns"; Mr. Pitman lives there.

1759. Have you ever been there?—Only to canvass.

1760. How many times have you been there? Once.

1761. Who accompanied you?—I do not know.

1762. I thought you said you had been for six years nourishing the borough, with the view to canvassing it?—Yes.

1763. You do not seem to have made yourself very well acquainted with the public-houses?—I have not, but I may know the people without the public-houses.

1764. Now, I will ask you a question or two about the committee: I understand you to state that you had no committee-rooms at all?—No.

1765. Were you not very much astonished at winning the election with so very little trouble being taken about it?—Not at all, when I had this book.

1766. Do you know St. Mary's-street, in the borough?—Yes.

1767. I presume, in the course of your canvass it has been necessary for you to go up and down there frequently?—Yes.

1768. Did it ever happen to you to see a flag, and also a great placard, "Westropp's Central Committee-room"?—I know there was a committee-room, for I have seen a flag there.

1769. I thought you told us just now that you did not know of any?—I did not know anything about what was going on there, but I must have been blind if I had not seen the flag.

1770. Then what you mean, when you said you knew nothing about it was, that you did not know what was going on in it?—I did not know anything about it, in fact.

1771. But, as a matter of fact, there was a flag?—Yes.

1772. There was also a central committee-room?—I cannot say indeed whether there was or not.

1773. Did you immediately order that flag to be taken down?—No, I had nothing to do with it.

1774. Did you see also great cards printed and circulated about, with the words, "Westropp's Central Committee-room" on them?—I saw a variety of placards, and I may probably have seen that, but I cannot say that I paid more attention to that than any other.

1775. Has it happened to you also, that besides going through St. Mary's-street your duties have taken you through St. John-street?—Yes.

1776. That is a totally different part of the borough?—That is in Eastover.

1777. Did it ever happen to you there also to see "Westropp's committee-room"?—No, certainly not; there was no placard.

1778. I do not care about the placard. I did not ask you that. Is it the fact, or did you ever hear, that there was Westropp's committee-room in St. John's-street?—I have heard of it.

1779. Then, when you told my friend you knew nothing about it, you meant that you did not know what was going on in it?—It only shows that we ought to define the meaning of words.

1780. It only shows that you ought to answer the question clearly. Notwithstanding your answer to my friend's question, you do know now, as a fact, that there was a committee-room in St. John-street?—I do know, from having seen, in the early part of the canvass, that there was a flag similar to what I have seen in the other place.

Mr. *Sleigh*.] The witness does not say that he knew it was a committee-room, but he knew there was a flag hanging out of the window.

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1781-82. Mr. *Powell.*] Did you think it was a Methodist chapel?—No, certainly not.

1783. Did it occur to you to know what it was?—Yes; I saw it stuck up.

1784. And, having seen it stuck up, had you the slightest doubt that it was a committee-room?—Why should I? it was put there.

1785. Now, there being, as now, to your knowledge, three committee-rooms?—No, there were not to my knowledge.

Mr. *Sleigh.*] Forgive me, with great deference, the witness has not said so. He said, as regards the "Clarence," there was a meeting held there; but as regards the other places he saw the flags hanging out of the window; but he has distinctly stated that he did not know that there was a committee-room.

1786. Mr. *Powell.*] Seeing that there was a committee-room, did it occur to you that there might by possibility also be a committee?—I suppose if there is a committee-room there is a committee.

1787. If there were two committee-rooms, in all probability there would be two committees?—Yes.

1788. Did you ever have the curiosity to ask who the members of the committee were?—Never.

1789. Perhaps you took care not to?—I never asked, for I never interfered with any of the concerns of the election.

1790. Did it occur to your mind who the committees might be who were occupying these committee-rooms?—No; I never troubled my head in the least degree about it.

1791. Now, I will ask you a question or two about some of the gentlemen who have been mentioned. You know Mr. Veysey, I presume, very well?—I know him tolerably well, not very well.

1792. Tell me, if you please, how many times do I understand you to say that Mr. Veysey accompanied you upon your canvass?—He did not accompany me. We met him once in the early part of the morning, when I did not know the street, and the second time was in Berkeley-street; that I am perfectly certain of.

1793. When you met him in the morning, where was that?—That I cannot exactly recollect; but on one occasion I know I did meet him.

1794. Did he accompany you on your canvass?—No; because, as I said just now, I expressed to some person, whose name I really forget now, a wish that he should not come with us.

1795. Did you not also tell me that, upon one occasion, you had asked him to go and show you some persons with whom he was acquainted?—That was in Berkeley-street, the second time.

1796. And, I presume, he did so?—He did so.

1797. Do I understand you to pledge yourself that those were the only two occasions on which Mr. Veysey accompanied you during your canvass of the borough?—To the best of my belief, they were the only two.

1798. You will not say more than that?—I think so.

1799. Has it happened that this gentleman has joined you at Bridgwater?—No; not that I recollect.

1800. I must beg you to recollect; I have a reason for asking you the question, and I will give you time to recollect?—If I had my journal here I could tell you in a moment.

1801. Have you a journal of what took place during the canvass?—No, a journal of ordinary things that occur, and of the gentlemen who dine with me.

1802. Is that in London?—I rather think it is.

1803. Is it, or is it not, in London?—I am not sure whether it is or not; because, when I went to Ireland the last time, I took over some books with me.

1804. Did you not tell me just now that it was in London; and now I ask you whether it is or not you cannot tell?—I really cannot tell you that.

1805. Will you be good enough to give me a distinct answer to a plain question: did not Mr. Veysey dine with you at Bridgwater?—My impression is, that he did not.

1806. Will you swear that he did not?—No, I will not.

1807. Now, I ask you this further: will you swear that he did not dine with you after he had been out with you canvassing?—Most certainly not; because he could not have been out with me.

1808. *Chairman.*] You can put that question in another form: "On that day, or on either of those days, when you met him, did he dine with you"?—I have just said that, to the best of my belief, he did not dine with me.

1809. Mr. *Powell.*] I am trying to improve your memory?—It is in vain to do that; I have told you the fact.

1810. I know it is in vain, if you will not allow me to do it; but I will try. You do remember asking him to go with you somewhere, and his going?—Yes.

1811. On one occasion?—Yes.

1812. Will you undertake to say that he did not dine with you after having gone out with you?—My own idea is, that he did not dine with me at all.

1813. Will you say more than that you do not recollect?—No, I will not.

1814. Mr. *Sleigh.*] You say further, that you do not believe he did?—I really do not know whether he did or did not.

1815. Mr. *Powell.*] But it could be put at rest entirely by your looking at your journal?—Certainly.

1816. Did some of the gentlemen who canvassed with you dine with you?—No, they did not dine with me.

1817. Did they dine at the "Clarence"?—They dined at the "Clarence;" but I never asked any of them to dine with me.

1818. Perhaps we are at cross purposes; do you mean that they dined at the "Clarence," but not with you?—Yes.

1819. Did they dine in the same room?—Yes.

1820. By the *Committee.*] Who did?—Some of the gentlemen who canvassed with me.

1821. Including Veysey?—No; I told you if he had I should have mentioned it at once.

1822. Mr. *Powell.*] Now, having found that there is a distinction between having dined with you and dining in the same room, I ask you to pledge yourself whether Mr. Veysey did dine in the same room with you at the "Clarence?"—To the

the best of my belief, Mr. Veysey never did dine with me.

1823. Did Mr. Paine dine with you?—Yes.

1824. Did you not ask him to dine with you?—No; when you say they dined with me, they would come and dine; but I never asked any of them to dine with me.

1825. They dined at the same table?—Yes.

1826. You know Mr. Lilley very well, I suppose?—Very well.

1827. Was he out canvassing with you frequently?—Yes.

1828. Now, tell me, if you please, who was with you when Mr. Lilley was with you?—I think Mr. Lilley generally went with me alone.

1829. Do you mean to say that he was always alone with you?—He was, generally.

1830. He generally was with him, you mean?—He was generally with me alone.

1831. Then, I may take it, he was the person who most frequently accompanied you?—Yes, I think so.

1832. So that he and you would go to canvass the borough together?—He was with me more than anybody else.

1833. Was he the person with whom you discussed the matters of the election?—We discussed the election matters, or anything else.

1834. You see, that is not the slightest answer to my question; you say Mr. Lilley was accustomed to canvass with you alone; were you accustomed to discuss the matters of the election with him?—No more than the ordinary topics and so on; I really do not think we discussed more than ordinary topics; I used to ask what that man was, and who he was, and so on, and if there was any peculiarity about him.

1835. Mr. Lilley was the person you refer to?—When he was with me.

1836. He was more with you than anybody else?—He was more with me than anybody else.

1837. Do I understand you to say you never saw or heard of any such circular as this (*handing one to witness*)?—I never saw or heard of it until it was produced in this room.

1838. You were in the room when the evidence was given about it?—Yes.

1839. I presume you were very much astonished to hear that it was printed from Mr. Lilley's manuscript?—I had no emotion at all about it; I saw it there.

1840. Now, I will ask you a question about Mr. Stroud; you know Mr. Stroud very well?—Not very well.

1841. You know him?—Yes.

1842. Do I understand you to say that Mr. Stroud was never out with you when you were canvassing?—Certainly not.

1843. He never was present when you asked anybody for a vote?—Never.

1844. Now, I understand you to say that you have seen Mr. Heal?—Yes.

1845. Where have you seen Mr. Heal?—In his brewery.

1846. Where is that?—At a place they call "The Cross."

1847. How far from Bradford?—It is in the town.

1848. How often have you seen Mr. Heal?—Once.

1849. I think you told me twice?—I saw him in his house when I went to canvass, and I saw him in the street; I meant by that I only met him once in the house when I went to canvass him.

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1850. Who accompanied you when you went to Mr. Heal's house to canvass him?—I cannot say, for this simple reason, for unless I knew the day I called upon a particular person, and knew the person who accompanied me on that day, I could not tell.

1851. I am asking you with reference, not to a vague day, but to a particular man?—Why should I particularize Mr. Heal any more than any other elector?

1852. I ask you, having heard the evidence that you have in this room about Mr. Heal, whether you do not know who accompanied you when you canvassed Mr. Heal?—Most decidedly not.

1853. Where was the second time you met him?—In the street somewhere.

1854. Where?—In Bridgwater.

1855. Did it happen to be near the house of Pimm?—Certainly not.

1856. Then, if you know it was not near the house of Pimm you can tell me where it was?—It was somewhere near his own house, and the reason I say that it was certainly not at Pimm's house is, that had it been, I should have recollected it.

1857. You never heard of his being at Pimm's house?—Never, until I came here into this room.

1858. Now, we hear that after the close of your canvass you went to London?—I went on the 6th.

1859. Do you remember on the day you closed your canvass Mr. Trevor and Mr. Smith going to London by the mail train?—So I understood, but I did not know it at the time they left.

1860. Did you not see them when they came back?—Certainly not, because I was gone before they returned.

1861. You yourself left Bridgwater the next day?—I did.

1862. Did you also go up by the mail-train and come down the next morning?—Yes, but not with them.

1863. I do not suggest that you did come with them; on your return was there a placard issued saying that a gentleman named Edwards would come and address the electors?—Not immediately on my return; I returned on Friday, and that was the day after.

1864. Of course I do not mean within an hour or immediately after you got out of your cab?—You said "immediately."

1865. Yes; after your return from the sudden visit to London was this placard issued?—Yes.

1866. Mr. Edwards never did appear, did he?—No; but he was in Bridgwater.

1867. He did not like the look of it, I suppose?—I suppose not.

1868. No; do you know from your friend Mr. Lilley that it was he who ordered the broad sheets about Mr. Edwards to be altered, and your name above to stand?—No, I do not.

1869. Did you see any placards of "Edward's and Westropp's?"—Yes.

1870. Where did you see them?—They were posted on to the market-house, directly opposite my hotel.

1871. I daresay you cannot tell who ordered them to be done?—I have not the slightest idea.

1872. They might have grown up in the night for aught you know?—Probably.

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1873. You do not know who counter-worded them?—I do not know.

1874. Did there happen also to be a lot of flags with "Edwards and Westropp," or "Westropp and Edwards" on them?—I can swear there were no flags.

1875. Did you ever see any flag with Mr. Edwards's name on?—No; I do not think I did.

1876. Will you undertake to say you did not?—I tell you to the best of my belief, that I did not see a flag with "Edwards and Westropp" on it.

1877. Perhaps it was "Westropp and Edwards"?—No.

1878. Do you pledge yourself that you did not see any flags with "Westropp and Edwards" upon them, or any flags?—No; I do not think I did; perhaps you will allow me to say why.

1879. If you like?—The reason is that they never could be used, because Mr. Edwards never came.

1880. Did you ever give yourself the trouble to inquire why he came or why he went away?—I got a telegram from him.

1881. You say he was in Bridgwater, and you saw his name and your own on the placards after?—Yes.

1882. Did it ever occur to you to inquire how your name came to be associated with the name of Edwards?—Except that he was come to stand for the borough in conjunction with me.

1883. Did you never inquire how he came to go away so suddenly?—There was no necessity for inquiry, for I received a telegram from him after he was gone; he went to some place where his brother lived, and I got a telegram from him saying that family reasons prevented him standing for the borough.

1884 Did you yourself see Mr. Edwards at Bridgwater?—Yes.

1885. That being so, I presume, you discussed the matter of the election?—I did not discuss any matter with him; it was very late at night when he arrived, half-past eleven at night.

1886. Of what day?—The Saturday.

1887. The Saturday after you had been up to London?—Yes.

1888. You saw him in Bridgwater?—Yes.

1889. Did I understand you to tell the Committee, that seeing him in Bridgwater a day or two after you had gone up to London and come back, you did not discuss the matter of the election with him?—He arrived at Bridgwater about half-past 11, and we were to have talked over the election the next morning, but I went to church, and when I came back Mr. Edwards was gone.

1890. But you had seen him the night before?—I had, but it was too late to discuss the matter.

1891. You recollect the nomination?—Yes.

1892. The show of hands was not in your favour?—It was so said, but I believe it was.

1893. The sheriff was "buff," perhaps?—Well, the less we say about that the better.

1894. At any rate he gave his judgment that it was not in favour of Mr. Westropp who had so many promises?—Yes.

1895. Did you have a meeting of your supporters after the nomination?—Certainly not.

1896. Was there a meeting of your supporters after the nomination?—Not that I am aware of.

1897. At the "Clarence"?—No.

1898. Did you retire to the "Clarence" after the nomination?—Yes, of course.

1899. Do you mean to say that there was not a meeting of your supporters on the night of the nomination?

1900. Mr. *Sleigh.*] That you were present at?—No.

1901. Mr. *Powell.*] Now let us understand, you recollect the nomination and the show of hands?—Yes.

1902. I ask you, after the nomination (I do not fix the hour), after the show of hands being against you, was there not a meeting of your supporters at the "Clarence"?—Decidedly not.

1903. Did you hear from anybody that there had been a meeting at the "Clarence"?—I did not.

1904. You did not know up to this moment that there had been a meeting at the "Clarence"?—I did not.

1905. Of anybody?—I did not.

1906. Where did the nomination take place?—The nomination took place as if *here,* and you walked across the street to the "Clarence."

1907. What time was the nomination over?—About one o'clock.

1908. Did anybody accompany you from the nomination?—I am perfectly certain they did.

1909. Are you not also certain that there were several gentlemen who did?—Of course there were.

1910. And you walked into the "Clarence" together?—Yes.

1911. And into the room together?—No, I went up to my own room; that I am perfectly sure of.

1912. By yourself?—There might have been one or two who walked up with me, but there was no meeting.

1913. Are you talking to me on the word "meeting"?—No, I am not.

1914. Did you go into your own room with some of your supporters?—I daresay some who accompanied me went upstairs.

1915. I am sorry to say that "I dare say" won't do; did some of your supporters or not accompany you into the "Clarence" after the nomination?—I cannot say that they did.

1916. The nomination is an important day and an important period?—I will tell you anything you like to the best of my belief and to the best of my ability.

1917. Will you undertake to pledge yourself (and I trust you understand that I studiously wish not to put anything offensively to you, though I must do my duty) that some of your supporters did not accompany you into your room at the "Clarence," after your nomination?—Certainly, I will not pledge myself.

1918. Was it not discussed after the nomination as to whether you should proceed with the election or not?—No, it was not.

1919. Nothing of the sort?—It was not.

1920. Not with anybody?—Not with anybody.

1921. Do you mean in your presence, or not?—How could I speak of a thing that was not in my presence.

1922. I will tell you how you can, presently; do you mean in your presence, or not?—In my presence I heard nothing.

1923. Now, have you not heard that there was a meeting after the nomination, at which it was discussed whether you should proceed with the election or not?—No.

1924. You never heard that until this moment?—Never.

1925. You

1925. You never heard that it had been put to the vote?—Never.

1926. And carried by the majority of one only?—Never, nor do I believe it.

1927. You have given me an answer about a meeting at the "Clarence;" you say there was not one; was there not a meeting at some other place?—Not that I am aware of; I only want to tell the truth; I have nothing to disguise and nothing to conceal, and I am perfectly willing to answer every question to the best of my ability.

1928. Do you know of any meeting of your supporters at any other place on the day of nomination?—No, I never heard of it.

1929. You have given me the names of five professional gentlemen who went canvassing with you—Mr. Brice, Mr. Ruddick, Mr. Payne, Mr. Trevor, and Mr. Bealey Smith?—Yes.

1930. And also sometimes you say Mr. Richard Smith?—No, certainly not; on one occasion I went to lunch with him, and he said, "What time are you going out;" I said, "I am going out at three o'clock," or whatever time it might be; he said, "It is a pity to lose an hour, and we had better go to Binford-place."

1931. I suppose electors live there?—Yes.

1932. And I suppose you went and called upon them?—Yes.

1933. That is what common people call canvassing, is it not?—Yes.

1934. Then you did canvass?—There was a gentleman there who said he never promised anybody, but he promised me.

1935. And in the presence, I daresay, of Mr. Richard Smith?—Yes.

1936. Then you do recollect that Mr. Richard Smith did canvass that man?—Decidedly, but at that time only.

1937. Now, as I have improved your memory about this Binfield-place, I will ask did he not canvass with you in Eastover?—No.

1938. Did he never accompany you there?—No.

1939. Pray recollect?—I do recollect.

1940. Did not a man of the name of Turle come up to you and ask you for an advertisement to go into the Taunton paper?—That was in the Cornhill.

1941. Was Mr. Richard Smith with you then?—We were merely walking up to his office.

1942. How came you to be walking up to his office?—I lunched almost every day with Mr. Smith, and about that time I was generally going up to his house.

1943. Were you not in Eastover canvassing with Mr. Richard Smith?—No.

1944. Do you know Mr. Turle?—No, I do not.

1945. Do you know a gentleman representing some newspaper, who came up and asked for an advertisement for the Taunton paper?—I recollect there was a gentleman who asked about a newspaper, and he asked Mr. Smith, and Mr. Smith immediately referred him to me.

1946. Now, was not that in Eastover?—To the best of my belief it was in Cornhill, I am positive Mr. Smith never canvassed with me in Eastover.

1947. I ask you whether on that occasion, when that gentleman came and spoke to you about an advertisement for the Taunton paper, Mr. Richard Smith was not with you with a canvass book in his hand?—No, I do not think he was.

1948. Now, I must ask you whether you will swear he was not?—To the best of my belief he was not; Mr. Richard Smith canvassed with me about once.

1949. I am sorry to be obliged to press it, but will you swear that he was not?—I really do not know, and I should be unwilling to swear it.

1950. Now, did not this gentlemrn, Mr. Turle, address himself in the first instance to Mr. Smith?—Yes, and Mr. Smith referred him to me.

1951. Did not Mr. Smith step two or three yards aside with you, and after consulting with you, say, "I do not think it is worth our while to do so"?—Mr. Smith asked me whether I wished to have it done or not, he not being willing to take it upon himself so to do, and I said to him, "Well, I think you had better have an advertisement in the newspaper, the more the address goes out the better;" but whether he ordered it or whether he did not, I do not know.

1952. You did not order it?—I told him to do what he pleased; but Mr. Smith did not do it without consulting me.

1953. Did you see that advertisement in the newspaper afterwards?—No.

1954. Do you know whether it is charged and paid for by your election agent?—No, I do not.

1955. How many times was Mr. Brice out with you?—I cannot tell.

1956. Several times?—Not very many, but sometimes; if I had known, at the time of the election, that you were going to have me here, I certainly should have noted it all down for you.

1957. Now I want to know, as nearly as you can tell, was he out with you a dozen times?—It is impossible, and I will tell you why: I was not 12 days out canvassing, therefore, how could he be out with me 12 times?

1958. I did not ask you how many days he was out with you?—There were but 12 days.

1959. How many times will you say he was out?—Three or four.

1960. Will you say he was not six?—No, I will not, because you may go on to eight or nine.

1961. Now, Mr. Ruddick was the gentleman who, I think, was chairman at the first meeting you held on your arrival in the borough?—Yes.

1962. How many times was that gentleman out with you?—I cannot tell you; a great many.

1963. How many times was Mr. Payne out with you?—He was a good many; and I will tell you why he carried the cards.

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1964. Mr. John Trevor; how many times was he out?—Oh! indeed, he is a very slow coach.

1965. But, though a slow coach does not go very fast, it may go often?—That depends upon what drags you have.

1966. About how many times did the slow coach go?—About three or four.

1967. Is it usual at Bridgwater for all these professional men to be so earnest in a cause, that they go out canvassing like this, without being paid for it?—Upon my honour, as a gentleman, I can say no more than that I have neither paid nor have agreed to pay anything, and I believe I am not to pay one shilling to them; I can say no more than that.

1968. Am I to understand that all these gentlemen were out at the times you have mentioned, and you have paid nothing to them for it?—Decidedly no.

1969. What you may be called upon to pay, of course you do not know?—I do not believe I shall be called upon to pay anything.

1970. I believe it is usual for the agent, as Mr. Bealey Smith, to charge, is it not?—I have nothing at all to pay Mr. Bealey Smith.

1971. But he was your agent?—Yes.

1972. Have you returned any charge in your election expenses for Mr. Bealey Smith, your agent?—No, because I am not going to pay him anything.

1973. Now, without having any communication about the matter with Mr. Bealey Smith, do you tell the Committee that you do not think Mr. Bealey Smith, your election agent, is going to charge you anything?—Upon my word, I do not think he is.

1974. You have never had conversation with him upon the subject?—The only thing I have had in the way of professional business with him was, when I gave him my address, and told him to wait until Mr. Kinglake's address was published, and directly it was published, the address was to be sent to me, and on the receipt of that I said I would come down.

1975. It is on that ground that you are not going to be called upon to pay him?—I think so.

1976. I hope you will not be disappointed?—I hope that all our expectations may be realized.

1977. Do I understand you that you made this book entirely yourself?—Yes.

1978. You yourself entered in this book the promises of the voters, or the answers of the voters, at the time they were given?—There were some of those gentlemen whom I did not see, and afterwards, when the election was over, I filled them in; but those are marked in red.

1979. So that this book is made up partly before, and partly since?—It may be made up partly before, but before the election I am sure there were 325 promises.

1980. But the book, as it now exists, was made up partly before, and partly after, the election?—Yes; and you will see the difference marked in red.

1981. There are many names in the book, of persons whom you did not canvass yourself, and who made no promises to you?—I canvassed them all, but some were out.

1982. Who, you do not say?—There are some, but not very many. Will you allow me to say with regard to that, those that I filled in have been filled in after the election was over, and when I knew who it was that voted.

1983. Mr. *Longfield.*] It contains both the canvass and the poll?—The canvass supplemented by the poll.

1984. It contains the result of the canvass and the result of the poll?—Yes.

Re-examined by Mr. *Sleigh.*

1985. You were asked by my friend whether you saw a flag hanging out of the window of the "Dolphin"?—I saw two flags flying, one in Mary-street, and the other in John-street.

1986. Now you seeing these flags at the time, and during the whole of the election, did you know that there was any meeting of any persons in your favour at these houses?—No, I certainly did not see any, nor did I know they were committee rooms; nor should I have known it except from the fact of seeing these flags.

1987. Now, besides seeing flags out of the two houses that you have named, did you see flags of the other side at various other houses?—Lots.

1988. Hanging out of the various houses?—Oh yes, and placards.

1989. With respect to yourself and your own party, there were different houses throughout the town, where you had enthusiastic supporters, and they had flags hanging out?—Oh yes, the whole town was one mass of bunting from one end to the other.

1990. You were asked whether some of your supporters dined with you, to which you have given a negative, but you say they dined in the same room; was it the coffee-room?—No, at the same table.

1991. Did you pay for their dinner?—No, for I knew perfectly well that if I invited them to dinner, there would be bribery and corruption, and treating, and I took care that I did not in any way give a penny for that; I had heard of that upon former occasions that it was not right to do so, and I did not do it.

1992. Any persons who dined in the same room as yourself paid for what they had?—On all occasions.

1993. By the *Committee.*] Did you see them pay the money?—I cannot say that I did; but I did not pay it, nor shall I pay it; nor was I ever asked to pay it.

1994. Mr. *Sleigh.*] You have paid your own bill at the hotel?—Yes.

1995. In that bill have you been charged one sixpence for anything that you had not yourself?—No, I have not; I beg you will understand the meaning of what I say: that I did it advisedly, in order that it should not be supposed that I gave one fraction.

1996. By the *Committee.*] You have not the slightest doubt that the money was paid by these gentlemen themselves?—Not the slightest, unless the landlord made them a present of the dinner.

1997. Mr. *Sleigh.*] Now about this portentous conversation in the street, about the gentleman who asked you for the advertisement for one of the papers; Mr. Smith, you say, asked you whether it should be put into the paper or not?—Yes.

1998. Upon

1998. Upon this gentleman asking Mr. Smith whether this advertisement was to be put into the paper, Mr. Smith referred him to you?—

Mr. *Powell.*] No, he has said the contrary, that "Mr. Smith came to ask me, and I told him to do as he liked."

Witness.] Yes, Mr. Powell is perfectly right; what I said was this: Mr. Smith came over to me and said, "This man wants you to have the advertisement in, what are your wishes on the subject"? and I then said, "Do what you like."

1999. Mr. *Sleigh.*] You told him you thought it had better go in?—Yes.

2000. Was Mr. Smith acting by your directions in reference to the election at all?—Perhaps you will allow me to explain. Four or five years ago there was a meeting of the solicitors held before Colonel Tynte's death, at the "Clarence Hotel," in order to get a conducting agent to come down from London, and they separated in the most admired confusion. I put it to Mr. Smith in this way: I said, "I am in this predicament, I cannot get in if you all disagree," and he said, "I do not care what the consequences are, but so long as I live I will never interfere in an election further then as being your friend."

2001. That is Mr. Smith, senior?—Yes.

2002. Is it the fact that Mr. Bailey Smith has been acting for you in this election merely as a Conservative and a friend in the borough, without any fee or reward, and is it not the fact that he has told you he will not receive any remuneration from you at all, he acting merely for the love of the cause?—Yes, he has been acting in that way for me, and I have not given the value of that piece of paper to anybody.

2003. You know that his father before him, and he now, are good true Blues, acting from the love of the cause?—Yes.

[Adjourned to to-morrow at Eleven o'clock.

Thursday, 19*th April* 1866.

W. E. BAXTER, Esq., in the Chair.

Mr. Edward Lilley, sworn; Examined by Mr. *Sleigh*.

Mr. *E. Lilley.*

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2004. You carry on business as a Land-agent and Auctioneer in the borough of Bridgwater?—I do.

2005. And you are an elector of the borough?—I am.

2006. Did you at the last election vote for Mr. Westropp?—I did.

2007. And interested yourself generally, I believe, during the progress of the election in his favour?—I did.

2008. Did you assist him in his canvass?—I did.

2009. Did you assist him during the election as a private individual, or as a paid agent, or anything of the kind?—Only as a private individual.

2010. Entirely?—Entirely.

2011. Now, I believe a number of the Conservative electors of Bridgwater interested themselves in like manner, during the progress of the canvass, in assisting Mr. Westropp?—Many did so.

2012. Did you and some of the other electors form yourselves into a committee to assist in that election?—Yes; there was a committee formed.

2013. I believe you and the other gentlemen forming that committee met at various times for the purpose of conferring together, to aid in the progress of the election?—We did.

2014. I believe you took a very active part in that association of gentlemen; that committee?—I did.

2015. Did they meet occasionally at your offices?—At least once they met at my offices; but I do not think I recollect more than one meeting there.

2016. Did you use a room at St. John-street, and another at St. Mary-street?—Yes; there were two rooms used for the purpose.

2017. Who hired those rooms?—I did.

2018. And who paid for them?—I paid for them.

2019. In respect of the hire of those rooms, has any charge been made to, or money received from Mr. Westropp?—Not one farthing.

2020. It is entirely out of your own pocket?—Entirely.

2021. Had Mr. Westropp anything to do with the formation of that committee?—Nothing whatever.

2022. Now, during the progress of the election, did you cause a circular to be printed?—Yes.

2023. Is that it (*handing a printed circular to the witness*)?—I am not quite sure that I ever saw it, but that, I believe, is the circular.

2024. Now, just look at that, and see if that is your handwriting; it is the copy from which the circular was printed (*handing a written document to the witness*)?—That is my handwriting.

2025. I see the name of J. W. Veysey is attached to this circular, which is printed from the copy which I see is signed by you; it is signed J. W. Veysey, secretary of the committee; had Veysey anything to do with the issuing of this circular, or the ordering it to be printed?—Nothing whatever.

2026. You made use of his name as secretary in the way you put it here?—I did.

2027. And you paid for it, I think?—Well, I am not quite certain about that; I think it likely I did.

2028. By the *Committee.*] You are not quite certain whether you paid for them or not?—No; but I believe I did; I cannot charge my recollection with it.

2029. Mr. *Sleigh.*] Just understand me; I do not mean that you actually paid the money with your hand to the printer, but it was paid by your directions?—I believe it was, but I could not positively swear.

2030. With respect to this Mr. Veysey, we understand that he is a gentleman carrying on business as a solicitor in Bridgwater?—He is.

2031. And he took an active part in this election, as far as he himself was individually concerned?—Yes.

2032. Now, did you give him any instructions whatever, or hear from him that he had either bribed, or attempted to bribe, any of the electors, or to treat them?—Oh, dear, no, certainly not.

2033. Was he by you, or by Mr. Westropp in your hearing, or by any gentleman in this voluntary association of committee men, appointed or directed to do anything in reference to the election?—Certainly not; not in the presence of Mr. Westropp.

2034. Was he instructed by you to do anything, and if so, tell us exactly what it was, if anything, that he was directed to do?—I think I may have given him instructions to attend the committee room in St. John-street, to receive any information from any member of the committee or any elector in reference to Mr. Westropp's election, nothing beyond.

2035. You constituted him, in fact, secretary of the committee?—He was constituted secretary of the committee, and recognised as such, but I did not constitute him.

2036. Mr. *Sleigh.*] Now during the whole of that election, did you or did any member of the committee with your knowledge give one sixpence to Mr. Veysey to disburse?—Certainly not.

2037. Or any other person?—Or any other person, either directly or indirectly.

2038. Now in the early part of Mr. Westropp's canvass, do you remember Mr. Veysey being present at all?—I have heard since I came to London that he did join the canvass.

2039. You accompanied Mr. Westropp upon a great many occasions in his canvass, we understand?—Yes.

2040. Upon

2040. Upon any of those occasions did you see Veysey there?—I think he must have been present, but I do not recollect it, because I have since heard that he did join Mr. Westropp.

2041. By the *Committee.*] But you do not know of your own knowledge?—I think he may have been present probably once; I had forgotten that he was present.

2042. Mr. *Sleigh.*] According to the best of your recollection and belief you have accompanied Mr. Westropp on very many occasions, have you any recollection of seeing Mr. Veysey except upon one occasion?—I have not.

2043. Of course you remember the nomination?—Yes, very well.

2044. Do you remember, after the nomination, Mr. Westropp going back to the hotel?—Yes I think I accompanied him back to the hotel.

2045. Is it true that upon that afternoon a meeting of Mr. Westropp's supporters was held at "The Clarence," at which you discussed the question, aye or no, whether Mr. Westropp should go to the poll?—There was no such meeting.

2046. Or anything of the kind?—No.

2047. Mr. *Powell.*] Not that you know of?—Not that I know of; I only speak of my own knowledge.

2048. Mr. *Sleigh.*] Did you ever hear it before now?—No; I certainly was not present upon that or any other occasion when anything of the sort was discussed.

2049. I suppose from time to time, up to the last moment, you saw Mr. Westropp's canvass book?—Yes.

2050. From your own knowledge of the matter, what were his prospects of success the day before the poll?—He had a majority of more than 100 promises of the entire electors.

Cross-examined by Mr. *Powell.*

2051. As you have stated, you took a very active part in this election?—Yes.

2052. I believe you went to the railway station and accompanied Mr. Westropp in the carriage in which he entered the town?—I think I did.

2053. You were also present at the meeting that was held on the evening of his arrival?—Yes.

2054. Did you also instruct Mr. Cruess to insert his address in the "Bridgwater Mercury?"—I do not remember.

2055. He has said so; have you any doubt about it?—I do not know; it is very possible I may.

2056. It was you who proposed the resolution at that meeting?—I think not.

2057. Pray oblige me by remembering?—I think I seconded the resolution.

2058. You, I think, were the gentleman who caused the broadsides about Mr. Edwards and Mr. Westropp to be altered?—No, I have no recollection whatever of making any alteration.

2059. Do you not remember going to Mr. Graham's office about the broadsides?—I have no recollection.

2060. You cannot say further than that?—No.

2061. Do you not remember going with Mr. Bealey Smith to Mr. Graham, the printer's office. we had a gentleman here yesterday from the office?—It is very probable that his recollection may be quite correct, but I do not recollect having gone there.

2062. Of course you will not undertake to say it was not so?—Certainly not.

2063. Do you know Mr. Wood, the printer?—Yes.

2064. You ordered bills and circulars to be printed by a Mr. Wood?—Oh, dear, no, not bills and circulars.

2065. What did you order to be printed by Mr. Wood?—I think there was a circular which was printed by him.

2066. A circular relating to the election?——

2067. The circular produced?—I am not quite sure that I ordered that circular. I will not undertake to swear that I did.

2068. Were there not at the committee-rooms large placards up, "Mr. Westropp's Central Committee Room"; "Mr. Westropp's Committee Room," and so on?—I believe there were.

2069. Have you the slightest doubt about it?—I do not recollect the precise wording.

2070. I did not ask you the precise wording, but to that effect?—I have no doubt about it.

2071. Did you not order these placards to be printed?—I have no recollection of that.

2072. You have told us about these two committee rooms; tell us who the committee were?—I can hardly give you the names.

2073. Your recollection has been extremely clear during my friend's examination; oblige me by brushing it up; who were these self-devoted adherents of Mr. Westropp?—Mr. William Brice, Mr. Smith, senior; will you give me the names of some of the gentlemen?

2074. I will assist you; Mr. Richard Bealey Smith?—I do not think he was a member of the committee.

2075. Did you not see him frequently in the committee room?—No, I have no recollection of seeing him in the committee room at all.

2076. Will you undertake to say that you never saw him in either of the committee rooms?—I believe I never saw him in either of them.

2077. But you will not swear you did not?—To the best of my belief I swear it.

2078. Mr. Vesey, of course, was the secretary of the committee?—He was in Eastover, in St. John-street; he was acquainted with that part of the town.

2079. Who else was there?—If I had a list of the names before me I could possibly pick them out.

2080. You knew you were coming to give evidence this morning; why did you not make a list?—I had no notice to do so; I cannot give you the names of the parties; if you will mention any names I will tell you.

2081. Now, I will suggest to you some more names: Mr. Joseph Richard Smith?—Yes.

2082. How did it happen that you did not state the name of such a prominent member as that?—The name never occurred to me.

2083. Was Mr. Edward Stroud a member?—I cannot positively say, but I believe he was.

2084. Have you the slightest doubt that he was?—I have no doubt that I have seen him in one of the two rooms, but I am not sure, whether it was in the character of a committee man.

2085. Do you remember a gentleman who spoke upon the resolution that you either proposed or seconded, Mr. Frederick Harden?—Yes, I know him very well.

2086. Was he not one of the committee?—I think he was.

2087. Do you know Mr. William Pinner?—Yes.

Mr. *E. Lilley.*

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2088. Was he not one of the members of the committee?—I do not recollect.

2089. I must have an answer; have you not seen him in the committee rooms?—Oh, yes.

2090. Many times?—Not many.

2091. How many?—I did not attend the committee room in St. John-street very frequently.

2092. Then I suppose it was chiefly in St. Mary-street that you saw him?—No, if I saw him at all, it was in St. John-street.

2093. About how many times have you seen him there?—I do not think I have been present in that room more than three or four times.

2094. Have you seen him those times?—No, once or twice.

2095. He is the gentleman who keeps "The Golden Lion"?—Yes.

2096. And I suppose "The Golden Lion" is a very well-known inn in Bridgwater?—It is a very small inn.

2097. That may be, but it is very well known?—Well it is known.

2098. Have you seen Mr. Westropp in the committee rooms?—Never.

2099. Not in either of them?—Never.

2100. You swear that?—I undertake to swear that most positively.

2101. Mr. Edwin Phillips?—I think not.

2102. Do you think you can safely swear that you never saw him in either of the committee rooms?—To the best of my belief I never did.

2103. Was he one of the committee?—I will not undertake to swear; I think he may have been.

2104. Mr. Henry Williams Veysey?—Yes.

2105. Mr. James Harwood?—I never recollect meeting Mr. James Harwood at the committee rooms; but I will not undertake to say that he was not a member of the committee.

2106. Do you not know he was?—I could not undertake to swear; I think it likely he may have been.

2107. You have been subpœnaed to produce a letter that was addressed to you by Mr. James Harwood?—Yes (*letter was produced*).

2108. You received this letter?—Yes.

2109. From whom did you receive it?—

Mr. *Longfield* objected to the letter being read, but the Committee decided that it was admissible.

Mr. *Powell.*] This is the letter: "Mr. Lilley. Dear sir,—I promised James Rogers to be made right; he belongs to the North Ward; a plumper for Westropp. James Harwood."

2110. Now, having reminded you who Mr. Harwood is, and you having produced this letter from him, no matter how you got it, have you the slightest doubt in the world that Mr. Harwood was a member of that committee?—I do not know.

2111. Upon your oath, do you not know that he was?—I do not.

2112. Do you know Mr. Edward Genner?—Yes.

2113. Was he a member of the committee?—I never saw him in the room.

2114. Have you seen him about, canvassing?—Never.

2115. Are you sure of that?—Yes.

2116. Have you seen him accompanying the canvassers?—Yes.

2117. Do you know Mr. Robert Bussell?—Yes.

2118. Was he a member of the committee?—I think not.

2119. I cannot be content with "I think not?"—I believe not.

2120. Will you swear he was not?—I think I may; I beg to say, that my not answering does not arise from any disinclination to give you the best information in my power, but I have not had occasion to refresh my memory; I had no intimation that such questions would be put to me, or I should have been prepared to give you the utmost possible information.

2121. You had no idea that such questions would be put to you; what did you come here this morning for?—To give general evidence.

2122. As general as possible, I suppose?—Certainly.

2123. Do you know Mr. Thomas Henry Boys?—Yes.

2124. Was he a member of the committee?—I will not undertake to swear.

2125. You know Mr. Boys well?—I do.

2126. Everybody in Bridgwater knows him?—I think so.

2127. Now, upon your oath, do you not know that Mr. Boys was a member of the committee?—I will not undertake to swear that he was; I think it likely he may have been.

2128. Will you undertake to swear that he was not?—Certainly not.

2129. How many times have you seen him in the committee rooms?—I do not think I can charge my recollection with seeing him in the committee rooms upon one occasion; but I will not undertake to say that he was not there; I am speaking to the best of my belief.

2130. Now, Mr. Frederick Jarman; was he a member of the committee?—He was.

Re-examined by Mr. *Longfield.*

2131. In whose handwriting is this letter—I do not know.

2132. Tell the Committee under what circumstances you got it?—I wish to appeal to the Committee, in consequence of that having been handed to me through a confidential source.

2133. *Chairman.*] You must answer the question, of course.—I had it through the office of Messrs. Reed and Cook.

2134. Mr. *Longfield.*] Who are they?—Solicitors in Bridgwater in the interests of the Liberal party.

2135. Were they the agents of Shelley and Kinglake at the last election?—They took an active part in it; but I cannot say whether they were agents.

2136. Is Paul Reed a paid agent on the face of the accounts?—I cannot say.

2137. Is this gentleman's Christian name Paul?—Yes.

2138. He was acting for the Liberal party at the last election?—Yes, he appeared to be taking an active part.

2139. It was from them you got the letter?—Yes.

2140. Directed to you?—Directed to me.

2141. Was it open or shut when you got it?—I think it was open.

2142. It was not given to you by Rogers?—Oh, clearly not; I never saw Rogers from first to last; if I may venture to say a few words in justification

justification of myself in reference to this matter; the course I pursued for the receipt of it was this: I went to Mr. Harwood, and I expressed myself most indignant that he should have sent me such a letter; there was no possible pretence for his having sent me that letter, and his reply was, as far as my recollection serves me, that it was only done on the spur of the moment, and rather with a view to get rid of the man.

2143. By the *Committee.*] Then he did write it; I thought you said you did not know the writing?—I did not, but as it purported to come from him, I went to him.

2144. Mr. *Longfield.*] Was this during the election?—No, after.

2145. How long after?—Some few days.

2146. By the *Committee.*] You have stated that you ordered the circulars from Wood, the printer; was the bill sent to you?—I think I have seen the bill, and I believe it was paid by me, but I will not undertake to say.

2147. Was not that bill paid by Mr. Walter Mansfield?—It may have been; I think he must have taken the circular there to get printed.

2148. Did you supply money to Mansfield?—I believe I did; I would not undertake now, in the absence of any memorandum, to say, but I believe the money was paid, not by me direct to Wood, but through Mansfield.

Mr. *E. Lilley.* 19 April 1866.

2149. Then you have been considerably out of pocket in consequence of this election?—I have been several pounds out of pocket.

2150. Mr. *Longfield.*] None of that was paid by Mr. Westropp?—Not a farthing.

2151. And you have not made any agreement or demand against Mr. Westropp?—No.

2152. By the *Committee.*] And you do not expect to get any of this money refunded by Mr. Westropp?—I do not from Mr. Westropp, certainly.

2153. Or from anybody else?—It is very possible that I may from some of the members of the committee; they would scarcely allow me to be out of pocket in the matter.

2154. You hope they will subscribe to refund you?—I hope they well; I do not think I should be very well used if they did not.

2155. Mr. *Longfield.*] At present you have no legal demand?—No.

Mr. JOHN WILLIAMS VEYSEY, sworn; Examined by Mr. *Longfield.*

Mr. *J. W. Veysey.*

2156. WHERE do you reside?—At Bridgwater.

2157. What profession are you?—A solicitor.

2158. Are you on your own account, or in partnership with Mr. Smith, or any other gentleman?—I am a partner with nobody; I am on my own account.

2159. You reside at some little distance from Mr. Smith?—Yes.

2160. You have a private office there?—A private office.

2161. Do you remember, a little before the election, when it was notorious that there would be a contest, your making application to be engaged in this election for Mr. Westropp?—Yes.

2162. What was the reply you got?—Mr. Smith said, "I do not think I can give you an appointment; you are not old enough; you have had no experience in elections."

At this stage of the proceedings it was objected by Mr. *Powell*, that in taking the oath, the Witness had omitted to kiss the book, and was required to do so.

2163. Now, Mr. Veysey, had you kissed the book?—I had; my lips had touched it, I am certain.

2164. Will you go on with the reply that Mr. Smith made to you on your application to be engaged as agent, or in some appointment?—He said, "I do not think you are old enough, John, or have not had experience enough."

Mr. *Powell* objected, on the ground that this was a private communication between Mr. Smith and the witness, and was not evidence.

Mr. *Longfield* was heard in support.

The *Committee* decided that it was admissible.

2165. Mr. *Longfield.*] You made an application, and were refused?—I was.

2166. Do you remember Mr. Westropp canvassing the town?—I do.

2167. Did you meet Mr. Westropp as a well wisher at his entrance into the town?—Yes.

2168. By the *Committee.*] This was old Mr. Smith, was it?—Yes.

2169. Mr. *Longfield.*] Old Mr. Smith had, before that election generally acted for the Conservatives?—He had.

2170. Do you remember Mr. Westropp making his appearance in the town?—I do, very well.

2171. About the 24th of June?—Somewhere about there; I cannot say what day.

2172. Do you remember him from time to time canvassing the town until the nomination day?—Yes.

2173. Did you accompany him in his canvass on any, and what occasion; and, if you did, tell the Committee what you did, and when?—I never accompanied him but once, when I met him by chance.

2174. Will you tell the Committee where that was?—I was once in or near Barclay-street, Bridgwater; I was going on my own private business there.

2175. What happened?—Mr. Westropp, or some person, said, "You know the people living about here—where does a man called Osborne live?"

2176. If you did not know where Mr. Osborne lived, you knew where the Misses Osborne lived?—Yes, I knew the name.

2177. Was that the gentleman who was the father of these two young ladies?—Quite so; I had been to the door many times before.

2178. By the *Committee.*] You had been in the house many times?—I had never been inside.

2179. Mr. *Longfield.*] But you knew where Mr. Osborne lived?—I did; his name is over the door, and I pointed it out to him.

2180. Did you point it out to him?—Yes.

2181. Did you say anything then to Mr. Westropp about his canvassing that gentleman, Mr. Osborne?—I said, "It is no good going there; he is a regular Liberal."

2182. Were his sentiments notorious to you, and

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and to everybody in the town?—To every person; I had heard so before.

2183. Did you accompany him to canvass?—I walked up to the end of the street; I was going to the same street on business.

2184. Did you accompany Mr. Westropp in his canvass during any other part of the canvass?—Never, to the best of my knowledge.

2185. Can you rely upon your memory that if the thing would happen you would recollect it?—I should recollect, I should think; it is some time ago.

2186. If you had accompanied him several times there is no doubt you would recollect?—Oh, decidedly.

2187. Can you state whether you went formally with Mr. Westropp, and accompanied on his canvass to several houses?—I did not.

2188. You never started regularly with him in his canvass, and accompanied him?—Never in my life.

2189. You can state that positively to the Committee?—I never saw him start; I saw him once or twice go into the "Clarence;" but I never saw him start.

2190. You may have been near him when you saw him?—I never saw him start in my life.

2191. But you never formally accompanied him on his canvass, except on that occasion?—Never.

2192. Did you ever dine with Mr. Westropp at the "Clarence Hotel"?—Never during the election.

2193. Did you dine with him afterwards?—I did once.

2194. There is a committee-room at John-street?—Yes.

2195. I see that you are named secretary to that committee?—I have heard so; I know nothing more.

2196. Read that circular (*handing circular*). There is a circular in which you have the honourable position of secretary?—Yes; I never saw one of these before in my life.

2197. Were you aware that you filled that high and responsible office of secretary?—I heard something at the time, but I never saw this before; I never heard before, except on one occasion, in my life, that there was such a thing.

2198. By the *Committee.*] Do you say you never saw this?—I never saw this; I saw some circulars a few days afterwards with Walter Mansfield's name on it.

2199. Mr. *Longfield.*] Not that?—Not this.

2200. Do you know the room in John-street?—I did.

2201. Did you know that several gentlemen, supporters of Mr. Westropp, used to attend there to discuss election matters?—Yes.

2202. Did you attend there occasionally?—I attended there occasionally.

2203. In what capacity; was it from curiosity, or to do business?—Well, solely as feeling in Mr. Westropp's election, like nearly every person in the town did.

2204. Did you receive directions or suggestions from any of the gentlemen there, to ascertain the feelings of such and such an elector?—No, I did not.

2205. Now, do you know a house in St. Mary-street, which was used by some supporters of Mr. Westropp?—I do.

2206. Did you ever attend there in your life?—Never in my life.

2207. Were you often at the room in St. John street?—I was.

2208. Did Mr. Westropp, during the time you were at St. John-street, ever go there?—I never saw him.

2209. You discussed politics, and discussed, I presume, the canvass?—Quite so.

2210. During any of these meetings, was anything in your presence, by anybody or by yourself about bribing the electors, or about money?—I never heard such a thing mentioned in my life.

2211. Were any directions given to you to tempt persons by an offer of money?—Decidedly not.

2212. Had you any money to tempt them with from anybody at that time?—Not an atom; not a single fraction.

2213. Do you remember the Sunday evening before the election?—I do; I cannot say how many before; it was on a Sunday evening.

2214. Shortly before the election?—Yes.

2215. You know the Salmon Parade?—Yes.

2216. I believe it is a very pleasant and agreeable walk in the town of Bridgwater?—Yes, by the side of the river.

2217. You know two young ladies of the name of Osborne?—Yes.

2218. They had been previous acquaintances of yours?—Oh, yes; I had seen them on many Sunday evenings, and at different *fêtes* and races, and so on.

2219. You made their acquaintance?—Yes.

2220. You took some turns on the Parade with them that evening?—Yes.

2221. Towards nine o'clock, when it became prudent for young ladies to go home, did you offer to accompany them to their house?—I did.

2222. Had you known the old gentleman before, and called at his house frequently?—I never saw him but once or twice in my life; I saw him in the County Court once.

2223. You knew the daughters a great deal better than the old gentleman?—I did; I did not know the old man.

2224. But you got inside the house then?—I did, for the first time in my life.

2225. Well, I hope it will not be the last. You saw them safely home?—Yes.

2226. Tell me what occurred then?—One of the daughters came and said, "Here is Mr. Veysey"; and he said, "Oh, Mr. Vesey"; and they left the room, and the old man and I sat down together, and we talked a great deal upon various subjects, about politics and religion, and various other things. He had been to chapel the same day, or had been somewhere, and had just returned at that time. We had some considerable talk about a quarter of an hour, I dare say,—I cannot say to a moment. I mentioned to him presently, "You are about the only man in this street but what would support Mr. Westropp. "Well," he said, "here is a great many people, you know, and they might be tempted and bribed, but nothing would bribe me,—2,000 *l.* would not." I said, "Well, I respect you for it."

2227. Did anything pass about 20 *l.* or 10 *l.*?—He said, "There is my neighbour here."

2228. Did he name him?—He said, 10 *l.* no doubt would buy him; but 10 *l.* would not buy me, nor 20 *l.*, nor 2,000 *l.*;" and I told him again that I respected him for it. I respected every

man

man who differed in politics, and was sincere, and I told him I thought he was.

2229. Do you remember the daughter coming into the room, Miss Anne, and saying anything?—Yes, they both came in just afterwards.

2230. What happened then?—They got talking about bribery, or something of the sort, and they said, "Well, 20 *l.* would buy us a new dress each," or something like that.

2231. Did you laugh and part friends?—Oh, yes, very friendly indeed; in fact, we laughed very much over the subject.

2232. Did you seriously, then, offer him money?—No, I did not, on my oath, and on my honour.

2233. I will tell you what has been said. Do you recollect that interview well and accurately?—Very well; perfectly well.

2234. It did not cause a breach in your friendship with the young ladies?—I have seen them on one or two occasions since that.

2235. Did this conversation take place. Did Mr. Osborne, the old gentleman, say, "Well, Mr. Vesey, what is your pleasure"?—Not that I am aware of.

2236. Did you say, "I am come to ask you, Mr. Osborne, that you will vote for Mr. Westropp"?—No, I did not.

2237. Did you then say to him, "Will you take 5 *l.*"?—No, I did not.

2238. Did he reply then, "No"?—No.

2239. Did you then say, "Will you take 10 *l.*"?—I did not say so.

2240. Did you say "15 *l.*"?—I never mentioned 15 *l.*

2241. Did you say this, "I will tell you what I will do. We will have no scrutiny votes, and you shall plump for Mr. Westropp, and we will give you four smackers," suiting the action to the word; that is, 20 *l.*?—I did not; I never heard the term smacker applied before.

2242. Did you use it, smacking your hands four times?—I did not; and, besides that, at that time I was totally ignorant of elections. I did not know the meaning of scrutiny.

2243. "I shall not take the money"—did he say not?—He never said anything of the sort; the conversation never took place.

2244. Did you go on, and say, "You are a very foolish man; 20 *l.* is useful in a family"?—No, I never said anything of the sort.

2245. Did he go on to say, "I know the value of 20 *l.* very likely as well as most men; but if I could not get 20 *l.* in a honester way than that I would not have it at all"?—He did not say that. He said something like this: he would not have any money but what he worked for honestly.

2246. In what part of the conversation did that occur; was it with reference to other people taking bribes, or with reference to the offer to him of a bribe?—In reference to other people taking bribes; I had no discussion on my part about bribing—nothing of the sort.

2247. Did he say, "And if it was found out it would subject me to six months' imprisonment, and would unseat the Member"?—No, he never said anything of the sort.

2248. Did you state then that it would never be found out?—I never did.

2249. Did he say, "There is another thing; I have promised my vote"?—He did tell me he had promised his vote.

2250. And that he would not go from his vote?—Yes.

2251. He had stated that already?—Yes.

2252. Before you went into the house you knew that?—Oh, yes; I had been informed so.

2253. I said, "If you were to offer me 2,000 *l.* I would not take it;" did he say that?—He said 2,000 *l.* would not buy him, but it had nothing to do with me.

2254. Did the daughter Anne then come into the room, and sit down on the sofa?—She came into the room afterwards; I do not know whether she sat down; it was the oldest, I think.

2255. Did you turn round and say, "I have almost succeeded in persuading your father to vote"?—I did not say so; I said, "We have been discussing politics this evening," or something like that; and we joked about bribing the country through, and generally.

2256. Did she say, "Father, do not take the money?"—No, she did not.

2257. Did you then, when going out, say, "I think, Mr. Osborne, you are a very foolish man; 20 *l.* would be useful in a family." "My daughter Anne said, 'What is 20 *l.*; I could spend that on a dress'"?—She spoke something about 20 *l.* being spent in a dress, or something of that kind, but I never offered them in any way to bribe him, or tempted him with 20 *l.*

2258. Do you know a man of the name of Jones?—Yes, Frederick Jones.

2259. A mariner?—Yes, he lives in Russell-square.

2260. Do you remember meeting him the night before the election?—Yes, I saw him on the bridge.

2261. Late at night?—I should think between two and three, or thereabouts.

2262. Is it the habit in Bridgwater, previous to an election, for all the town to be abroad the night preceding an election, all on foot?—I do not know before this election. I am very often out at night, and I was on the bridge with a great many others.

2263. There were a great number out that night?—Yes, hundreds.

2264. The bridge then was not a solitary place?—No.

2265. Do you recollect meeting him that morning?—Yes.

2266. In what condition was Mr. Jones at that time?—Oh, he seemed to be as if he was on an election, full of spirits, just come home from sea. I saw him start before he went away. I know him very well; I have seen him at his brother's.

2267. Do you know his brother?—Yes, I know his brother well; he is an assistant to Mr. Austin, of Bridgwater.

2268. Was his brother there?—Well, his brother came to me.

2269. At that time?—There or thereabouts, where the crowd was on the bridge.

2270. It was almost a continuous transaction?—Yes, the crowd had not disappeared from the speech making.

2271. What speech making?—There was a man of the name of Reeves, who was in the box yesterday, there.

2272. Was what his brother Isaac said said in the presence of Frederick?—No, his brother Isaac came, and said, "Is my brother here"? I said, "Yes;" and I saw his brother afterwards.

2273. Did the brother say anything to you?—He said, "Can you do anything for my brother?"

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and I said, "No, I have no money; and besides he is in Mr. Mogg's vessel, and will be sure to vote for his employer."

2274. Did you see Frederick afterwards?—Yes, he came up to John Smith's.

2275. Is he a partisan?—He is a voter, and a great partisan of the opposite party.

2276. What are the colours?—Their's was purple and orange, and the Conservative is blue.

2277. Had he come out then of Smith's shop?—Yes.

2278. Was it open all that night?—It had been open the whole night.

2279. Do you happen to recollect a man of the name of Bussell being there at that time?—Bussell was close at hand; he came up in a few minutes time.

2280. Could he hear any part of the conversation, or see what was going on?—I do not know; I cannot say.

2281. But he was close at hand?—Yes.

2282. Did he ask you any questions?—I said, "Well, Frederick, you are come home from sea," and he said, "Oh, yes, my expenses are paid home;" just like that.

2283. Did he ask you any question?—He said, "Where are you going?" I said, "I am going to Mr. James Harwood's;" and he said, "He is a relative of mine, and I will go with you."

2284. Did he say who paid his expenses for coming home?—He said his expenses were paid him by his employers.

2285. Did he say Harwood was a relative of his?—Yes, and he would go.

2286. Did you go together then to Harwood's?—Yes; we met Robert Bussell on the way.

2287. Did you all three go to Harwood's?—No; he called Bussell aside; they had a little conversation; then he went with me to Harwood's.

2288. What happened there?—I had a cup of coffee; Mr. Harwood said, "You are tired; if you will come over here, my wife has got a cup of coffee for any person out."

2289. You had had coffee before with him?—Oh, yes, and many glasses together.

2290. Not only during the election?—Oh, yes, last week.

2291. It was not the first cup of coffee you had taken with him?—No.

2292. What conversation took place, if any, about voting?—This was before we went into Harwood's; I said, "I suppose you are going to vote for Kinglake and Shelley." He said, "I cannot go against my employers." I said, "Yes, that stands to reason," or something like that, "of course you cannot." He said, "If you were a captain, you would not like for me to go against you," and I said, "Certainly not," and that closed the conversation; I went into Harwood's and had a cup of coffee, and he left.

2293. You saw him poll the next day?—Yes.

2294. Did he say anything then to you about a man of the name of Jennings?—He said Jennings was with him, but I did not know anything about Jennings at all; I should not know him if I saw him.

2295. Were there many persons in the room at Mr. Harwood's?—There had been a few of his friends, but I cannot say that there was any person there at that particular time.

2296. Did you take him on the bridge, and introduce him to a Mr. Hird, and say, "Here is Captain Jones, and also Jennings, a friend, who will vote for us"?—I did not see Jennings at all; I think I did see Hird on the bridge; and I might have said in joke, "The captain is going with us," or something of that sort, but I am not sure.

2297. Was there a Mr. James Laker, of "The Golden Bull"?—I saw Mr. Laker there, or thereabouts; I saw him on the bridge, I know.

2298. Did Mr. Harwood say, in your presence, anything to him about a vote?—Not a single word.

2299. Did Mr. Harwood say this, "Who do you intend to vote for"?—I do not think he did.

2300. "And I told him the same as before"?—Yes.

2301. Did he then say, "The side, I could do best for myself by"?—No, not a word of the sort took place; I am certain of that.

2302. Did Mr. Harwood say then, in your presence, "All right, they could do as well as any one"?—I never heard a word of the sort.

2303. Did he make any remark about seeing him at five o'clock?—Not a word; he said, "I may see you again before I leave."

2304. When did you see him, the next day?—I saw him the next day after he polled.

2305. Now, do you know a man of the name of Philip Gilbert?—Yes, I do know him well; I sold him two houses once.

2306. Where does he live?—In the Bath-road, Bridgwater.

2307. Did you see him on the morning of the election; the polling day?—He passed by me in St. John-street, I believe.

2308. Did he stop and speak to you?—Yes; he made some motion to stop, I know.

2309. Did you say anything to him?—I said, I was in a hurry, "Come along, and say anything you have got to say;" just like that.

2310. Were you passing Pimm's at that time?—Yes, just by there, and I said, "I wonder who is in here."

2311. Did you go in there?—I went in, and he followed me.

2312. Did you stay long there?—No, I left directly.

2313. What did you see Gilbert do?—I saw him call for, I don't know whether it was a glass, or a pint of beer.

2314. Who paid for it?—He paid for it himself; I saw the money in his hand; I believe he did pay for it.

2315. Where did you go after that?—I went straight up to the polling place, to see how the list stood.

2316. Were there many people at Pimm's then?—There were several there or thereabouts.

2317. Do you know a man of the name of William Heal?—Yes, very well.

2318. Was he there then?—I did not see him the whole day.

2319. Did you canvass him on your way to vote for Mr. Westropp?—I was passing by his house, and said to his wife, who was standing by the door, "Is Philip in"? and she said, "No;" just like that, nothing more.

2320. Did you, on your way to Pimm's, ask him to vote for Mr. Westropp?—No, I did not canvass him; he said to me, "I have been building a lot lately, as you know, Mr. Veysey;" and he said,

said, "Can you do anything for me"? just like that; I said, "No, Philip, I cannot."

2321. Did you then tell him, "If you vote for Mr. Westropp, you should be better off than if you vote for the other side"?—No, I said, "If you vote for Mr. Westropp you will vote for a good man, he is quite safe, you may as well go for him;" I said, "Mr. Westropp's poll is standing very well, you had better vote for him," or something like that; but not a word about his being well off. He told me he had been building these houses, and he wanted a little money to pay the men, and I told him I could give him none.

2322. Did he remain there with you for some time?—No.

2323. Did any person, in your presence, say what the figure was?—I never heard anything about that, I had left directly, I did not hear a word of the sort.

2324. Was anything said to that effect in your presence?—Not a word.

2325. Did you hear any person in your presence and his say, "We are doing 10 *l.*?—Not a word of the sort.

2326. Could that have been said in open conversation, without your hearing it?—I do not see how it could.

2327. Did he say, as he was leaving, "Recollect I will not vote for Westropp for 10 *l.*"?—No, I left him there.

2328. Did you see him there after the poll?—I do not know whether he polled or not; I met him as I was returning from the poll myself.

2329. Did he say anything to you then?—I said, "Well, Philip, where are you going," and he said, "I cannot get any money, and I shall have to go against you," or something like that.

2330. Did you make any reply?—I said, "I think Mr. Westropp stands very well," or something like that.

2331. Did he say anything then about Mr. Cooke?—Yes, he said to me, "Mr. Cooke—— "

2332. What Mr. Cook is that?—Mr. James Cook, solicitor; he has told me to come to you and try to get 10 *l.* from you and bring it to him; I told him I would not do any of his dirty business; I have known you all my life, and I would not try to do anything of the sort.

2333. Did he tell you how he had spent the night before the election?—He told me, "I have been to the Bath Bridge most part of the night before, and there is money going there;" he told me, in the course of conversation, that he had been part of the night at the Bath Bridge Inn, and that there was money going there, he thought money might be got on that side.

2334. Will you tell the Committee what the Bath Bridge Inn was; is it the central place for the other party?—It was a large inn at one part of the town, and there was always the opposite colours there, and the landlord is one of the Buff party.

2335. Will you tell the Committee then that nothing took place about tampering with or offering Gilbert money to vote for Westropp in your presence, or on any other occasion?—Not at all.

2336. Do you know a man of the name of Staples?—I do, Captain Staples.

2337. Did you see him shortly after the election?—Yes; I know him very well.

2338. Had there been some remarks about Captain Staples?—Yes.

2339. When you saw him did you speak to him?—Yes.

2340. Will you tell the Committee what you said to him?—I said, "Well, Captain Staples, what is this I hear about 10 *l.* that you have given away?" he said, "Oh, nonsense, I have been drinking most fearfully, I do not know what I have been talking about;" and he said, "Mr. Wilton,"—and I think he mentioned some other people, Mr. Lovibond I think,—"came to me and they took away 10 *l.* from the house, and that money I earned honestly, as freight for Mr. Richard Stone of Taunton; I said, "Mr. Richard Stone, of the Yard House?" and he said "Yes."

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2341. But he told you he had earned it as freight, and told you the name of the person from whom?—Yes, I know the man; I do business with him.

2342. Did you tell him further about taking proceedings respecting the money?—Yes; he said, "I have tried to get a warrant for him."

2343. Did he ever tell you that he had got that money from Stroud for voting for Mr. Westropp?—He did not.

Cross-examined by Mr. *Powell.*

2344. I presume, as an attorney, you served your articles to some one or other?—I did.

2345. To whom?—I served to Mr. Richard Smith, solicitor, of Bridgwater.

2346. After having served your articles, did you pass some time in London, as is customary with gentlemen in your branch of the profession?—About nine months.

2347. In an office in London?—Yes.

2348. I presume you went through the usual examination before you were admitted an attorney?—Yes.

2349. And you mean to tell the Committee that you did not know what the meaning of the word scrutiny was?—I knew the meaning of scrutiny, but I did not know how scrutiny applied as concerning elections; I know what scrutiny means of course, in a legal sense, but not as regards elections.

2350. You know what scrutiny means in a legal sense, but not as regards elections?—I know what scrutinise is.

2351. I did not ask you about that; you tell the Committee and my friend that so innocent were you on election matters that you did not know the meaning of the word scrutiny; is it true that you do not know the meaning of the word scrutiny?—I do not know the meaning of the word scrutiny, as regards elections.

2352. What is its meaning as regards anything else?—To scrutinise would be to examine very closely, but I did not know how to apply it to elections.

2353. Were you serving your articles to Mr. Smith during the election of 1859?—I had not been there a month, to the best of my knowledge: I was 16 years of age then.

2354. It is your opinion I suppose, that during this election you behaved with great discretion?—I know nothing to the contrary.

2355. I suppose you would be very much shocked to hear that other persons have expressed a different opinion?—It may have been so, but I cannot help that.

2356. You had not the advantage of hearing my friend's speech yesterday, I presume?—I had not.

2357. Now, I will ask you about Mr. Osborne; you had never spoken to that person before that night?—I do not know that I had.

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2358. You had been acquainted with the young ladies for some time before?—Yes.

2359. If it is not impertinent, would you tell me how you came to go and see Mr. Osborne that night?—Out of fun entirely.

2360. It never occurred to you to go out of fun before?—Never in my life, but I happened to meet life.

2361. While the election was going on, just out of fun, you went to see the father of these young ladies?—Exactly.

2362. Was there much fun in seeing the father when the young ladies were out of the room?—No; but I went there, and we entered into conversation, and I stayed on talking.

2363. While you were in the house the time was spent with the old gentleman, and not with the young ladies?—It was.

2364. That must have been uncommonly funny to you; however, you did touch upon election matters?—We did; we talked about politics at large.

2365. Politics at large, religion, and election matters?—Yes.

2366. You say he mentioned the name of a neighbour who would go for 10 *l.*; who was that neighbour?—He said, "I have no doubt my next door neighbour, Isaac Drake, would go for 10 *l.*"

2367. The young ladies did come into the room?—Afterwards.

2368. They did say, did they, that "20 *l.* would not buy them a dress"?—I did not know exactly the expression; they said some joke about a dress.

2369. And about 20 *l.*?—Well, I do not know; I am not certain; it may have been 20 *l.*, but I am not certain.

2370. How came the young lady to say that 20 *l.* would not buy her a dress, or words to that effect, if 20 *l.* had not been mentioned?—I think her father said, then, that 10 *l.* nor not 20 *l.* would buy him.

2371. I suppose, as you went there out of fun, the father said that out of fun too?—I am not sure; the old man laughed when he was speaking.

2372. And the young lady said that 20 *l.* would not buy her a dress; you met the young ladies on the Salmon-parade?—Yes, as I had many times before.

2373. Now you know their names, of course; do you know Miss Anne?—Yes, the oldest I believe.

2374. You know Anne?—Yes.

2375. Did you ask Miss Anne Osborne whether her father had decided which way he was going to vote, or words to that effect?—I did not.

2376. Then if she has sworn that, it is altogether untrue?—It is untrue to say that I asked her which way.

2377. Perhaps you want to qualify it in some way; I did not put to you the precise words, but I ask you whether you did not ask the young lady, in substance, whether her father had decided which way he was going to vote?—No; one of them volunteered, "My father is not going to vote for Mr. Westropp."

2378. How came she to volunteer that to you?—Because I may have said, some time before that, my principles were Conservative.

2379. How long before?—Just after the election was spoken of; a month before.

2380. And the words sunk so deep into the young lady's mind that she recollected the conversation?—I suppose so.

2381. That is the only explanation you can give of the conversation turning upon politics?—That is so.

2382. Then if the young lady did say you asked whether her father had decided which way he was going to vote, that is untrue?—She must be mistaken.

2383. Did she tell you he was on the Liberal side?—She said: "He is a regular old Buff."

2384. Did you say, "That is all nonsense, I know better than that?—I laughed, and I made some laughing remark, and said, "I will go over and speak to the old gentleman;" and she said, "Oh, don't you come and see him."

2385. You did say that?—Yes, something of the sort.

2386. When she said her father was a regular old Buff, you said, "I will go and see the old gentleman?"—I said I will go over and have a little bit of fun with him; I was very fond of joking with them at different times.

2387. Then it was because she said her father was a regular old Buff, that you did go and see the old gentleman?—No, it was not.

2388. What did you go for, then?—Not for that; I should have gone over besides.

2389. What for?—Just to have a little talk with him about the matter.

2390. How did it happen that it never occurred to you to have a talk with the old Buff before?—Well, I do not know.

2391. It was a remarkable coincidence?—Well, the whole fact was this: I did not think the old boy would have much cared about their speaking to me, and I think they rather objected to their father knowing that I had any conversation with them.

2392. That was the reason, because the young ladies rather thought that their father would object to their having any conversation with you, that you walked with them to their father's house?—No, certainly not.

2393. Then if you think the young ladies thought their father would object to their having conversation with you, how can you explain having gone with them to see their father?—I just went out of fun, nothing more.

2394. That is the only answer you can give?—Yes.

2395. You know Mr. Westropp has been examined; and I want to ask you how many times you have been in the company of Mr. Westropp?—I cannot say.

2396. Have you been frequently in his company?—No, not at the election.

2397. At what other time have you been in his company?—I have seen Mr. Westropp many times, of course.

2398. When?—When he has been to Bridgwater on former occasions I have seen him; everybody knows him.

2399. May I take it that you were intimate with him?—I knew Mr. Westropp very well, but I was not with him at the election.

2400. How many times will you undertake to say that you were with him during the election?—I could not say; a few times.

2401. What were you doing with him during the election?—I may have met him, or something like that.

2402. I did not ask you what you may have done?—I have met him during the election, as I did on that identical day.

2403. When you have met him, have you walked with

with him?—I do not recollect to have done so on more than that occasion.

2404. Did you not meet him early one morning near the "Clarence"?—I never recollect to have done so.

2405. I ask you to recollect; will you undertake to say that you did not meet him one morning near the "Clarence"?—I cannot say.

2406. You may have done so?—I may have done so, but to the best of my recollection, I never recollect it.

2407. Was this Barclay-street?—Yes.

2408. Where did you go to him there?—I showed him where Osborne lived.

2409. Osborne being the very old gentleman you have been speaking about?—Yes; but I said, "It is no good to go there."

2410. Did I understand you to say that Mr. Osborne had got his name over the door?—Yes.

2411. That was as clearly to be seen by Mr. Westropp as yourself?—No; it is not a large sign.

2412. It is as large as the print of a newspaper, I suppose?—Yes.

2413. And it is over the door?—At the top of the door.

2414. Where signs usually are?—But it is not very plain.

2415. Is it put there to be concealed, or that people may know who lives there?—That people may know who lives there.

2416. How far is it from Barclay-street?—It is in Barclay-street.

2417. In that very street?—Yes; I was going in the very street.

2418. What necessity was there for you to go to Mr. Osborne's with Mr. Westropp?—I do not know that there was any, but some persons did say, "Where does Mr. Westropp live?" and I said, "He lives up here."

2419. And you went there with him?—I believe I went as far as the door; I was going in the street on business.

2420. You have said that you called at Philip Gilbert's house?—When?

2421. Never mind when; but, first of all, have you gone out canvassing?—I may have spoken to one or two people; I have spoken to them.

2422. Will you undertake that you have not spoken to 20 people?—I do not think I have 20.

2423. But you would not swear it?—I would not; I used to meet people, and the whole conversation was about the election.

2424. Have you canvassed?—No; I did not canvass them.

2425. Did you ask them which way they were going to vote?—Persons have asked me, "Have you a vote," and I said, "No."

2426. You won't swear that that has not been to 20 people?—No.

2427. Did you not go to Gilbert's house?—I have, on business, before; I sold him two houses.

2428. During the election, have you not called at Gilbert's house?—I have passed by the house, and asked his wife if he was in once.

2429. Do you not call that calling at the house?—I did call at the house once.

2430. What did you call at the house for?—To see Gilbert.

2431. What for?—I do not recollect particularly; I have known Gilbert well; I sold him two houses once, and other business I had done for him.

2432. What was it that you called on Gilbert for on this occasion?—To ask if he had polled, I believe.

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2433. Have you any doubt that that was what you called about?—No.

2434. Then why did you talk about having two houses, and nonsense of that sort?—You asked me whether I had called before.

2435. Did it happen to be early in the morning of the polling-day that you called?—I did call on the morning of the polling-day; I was passing by the house; I did not go in.

2436. What time in the morning was it; and I ask you to be careful?—I cannot say, exactly.

2437. Will you swear it was as late as six o'clock in the morning?—I swear that I believe so; but I cannot tell.

2438. It might have been earlier?—It was in the summer, and everybody's house was open at that time.

2439. And on the morning of the polling-day?—The morning of the polling-day I passed by the house, and saw his wife.

2440. Was that the occasion when you say you called to ask about his vote, or whether he had polled?—No, to ask if Philip was in.

2441. You told us just now that, on one occasion, you called to ask if he had polled?—I beg your pardon; it was quite a mistake; it was to ask if he was in.

2442. Then you were incorrect when you said it was to ask if he had polled?—I must have been.

2443. May you not have called twice; once to ask if he was in, and once to ask if he had polled?—No, it was only once, and it was early, before the poll.

2444. How came you to say that you went to ask if he had polled?—That was a mistake.

2445. You know Pimm, of the "Golden Lion," very well?—Yes.

2446. How many times were you at the "Golden Lion" during that election?—I may have gone in and out to drink several glasses of beer, and I do now, frequently, the same as I might in any other house.

2447. And did before the election?—Yes.

2448. You have been at the "Golden Lion" before, at, and since the election?—Yes.

2449. You are well acquainted with Pimm?—Very well indeed.

2450. What brought you there on the day of the election?—I went in to see who was about, or something like that.

2451. You thought that was a likely place to find voters at?—No, it was not; but there were a great many people about.

2452. Who did you want to see, except voters, on the day of the poll?—I was looking on to see what was going on in the morning.

2453. I dare say you went out of fun, as you went to the old Buff?—I went in to see what was going on, as it is a public-house.

2454. Did you see Gilbert before you were at the "Golden Lion" that morning?—I met him as I was going.

2455. Did you go together to the "Golden Lion"?—He followed me.

2456. Now, what did he follow you there for?—He asked me if I could do anything for him, as he had been building.

2457. Thereupon you said, "Come on"?—I said,

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I said, "I am in a hurry; if you want to speak to me, you must come along."

2458. Then you and he went together to the "Golden Lion"?—Yes, and I left him there directly; I did not stay an instant.

2459. You say that he had been building; he was rather in difficulties, and wanted something to be done for him?—Yes.

2460. Did you ask who he was going to vote for?—He volunteered, if something could be done for him——

2461. Did you ask who he was going to vote for?—No, I did not; he volunteered that he would vote for Mr. Westropp if something could be done for him; I said, "I cannot do anything for you, but you cannot vote for a better man."

2462. But he had not told you he was going to vote for Mr. Westropp?—He had told me he would, on condition that something was done for him.

2463. Where did he tell you that?—On the road to the "Golden Lion."

2464. Before you and he got there?—Yes.

2465. Is there a club-room there?—Yes.

2466. I suppose you are pretty well acquainted with the electors of Bridgwater?—I know everybody, and everybody knows me, I think.

2467. Who was there at Pimm's when you were there on that day?—I saw a great many non-electors, whom I did not know.

2468. Whom did you know?—I saw a man called Isaac Hooper, and I think I saw young Mr. Wadden, and one or two other people, and I saw young Mr. Sandean, but I do not recollect any person particularly else.

2469. But we want a few more?—I saw Mrs. Pimm and the niece.

2470. Whom did you see amongst the electors?—I cannot say any person in particular; I stayed but a very short time, as I wanted to go up to see what was going on in the town.

2471. Who was there; you stated to my friend, "We were close to Pimm's; I said, Come in here"?—He said, "I am going in," or something of that sort.

2472. What did you ask him to go into Pimm's for?—Because I could not stop a minute to speak to him; I wanted to go to see the state of the poll.

2473. Why was he to go in there if you could not stop to speak to him?—Because if I had gone in, I should have left him.

2474. Did you go into Pimm's at all by yourself?—I believe I myself had something to drink.

2475. Your thirst was greater than your hurry?—I think I was up in the club-room a moment, and then rushed down and had something to drink in the bar.

2476. Your thirst was not so great that you did not go to the club-room first?—I rushed up to the club-room, to see what was going on.

2477. You were in such a hurry that, after having asked Gilbert to go in, you went away directly?—I cannot give any particular reason.

2478. What did you go up to the club-room for?—Nothing more than just to see if I could learn any intelligence as to how the poll stood before I went away.

2479. From whom were you to learn that?—Any person who might have been there.

2480. Did you learn it?—I did learn nothing.

2481. You went in there to learn how the poll stood; I ask you, remembering the time that you have mentioned, and your speaking to Mrs. Gilbert, whether the poll had begun at that time?—The poll had begun then.

2482. How long would you swear that the poll had begun?—I should think for an hour.

2483. What had you been doing between six o'clock, when you called at Gilbert's, and eight o'clock?—I had been walking about different parts.

2484. What about?—To see what was going on in the town; what was going on about the election on either side.

2485. Was that in your private capacity, or in your capacity as secretary to that committee?—Nothing at all to do with being secretary; merely in my private capacity, as feeling an interest. I must confess I felt an interest.

2486. When you went up into the club-room, who was there?—I cannot say whom I saw in the club-room.

2487. You went in to get information, and got it?—No, I did not.

2488. Whom did you see there?—I cannot recollect.

2489. Did you see Mr. Joseph Richard Smith?—I did not; I did not see him myself the whole morning.

2490. Did you see Mr. Leelehook?—I saw him some time during that morning.

2491. Will you swear that he was not in the club-room?—He may have been, but I cannot say.

2492. Did you see Frederick Jarman there?—I did not see him there.

2493. Did you see him that day?—I saw him in St. John-street during that day; he lives there.

2494. You know Heal very well?—Very well indeed; I go to his brewery and have a glass of beer with him sometimes.

2495. Then he and you are very intimate?—Very intimate indeed; I was at a steeple-chase with him last week; no, it was some person else; I was with him at Taunton the other day.

2496. Mr. *Longfield.*] You meet him frequently, and know him very well?—Oh, very well.

2497. Mr. *Powell.*] Very intimate friends?—Very intimate; indeed, I saw him last Sunday, and the Sunday before, and he asked me to come in and taste some of the ale; I have been on many occasions.

2498. Is he in London?—I believe he is.

2499. Did you see Mr. Heal at all during the election?—I may have seen him in the town, but I never saw him that side of the bridge, to the best of my knowledge, and I am confident I never saw him the whole day of the poll.

2500. He, like yourself, takes an active interest in election matters?—Well, he takes an interest.

2501. Taking an active interest in election matters, and you having gone about the town from six to nine, and being about all day, is it not very odd that you never encountered Heal?—Not at all.

2502. Why not?—Because that part of the town is rather spread about, down Bristol-road and different streets. I walked down there to see that no person tampered, because I was afraid they would tamper with them on the other side.

2503. You were in different parts of the town on the polling day and the night before?—Yes.

2504. Did

2504. Did you meet Heal the night before?—No, I did not see him the night before.

2505. Can you give any reasonable suggestion why it was that you did not meet Heal during the polling day?—No, I cannot.

2506. Suppose I were to suggest to you that he was in a close room during the day, would that account for it?—I do not know at all.

2507. You have told me you went into the "Golden Lion;" were you there more than once during the day?—I dare say I may have gone in and out on two or three occasions; I know I had two glasses of beer.

2508. May I say a dozen times?—I think not so much.

2509. You would not swear?—I may have rushed in and out, because I am very intimate there.

2510. You were at the "Golden Lion" perhaps upon six times on the day of the poll?—I was there twice, two or three days together; one day this week; I very frequently go in.

2511. How many times were you at Harwood's on that day?—I think I went in twice.

2512. Had you been at Harwood's the night before?—It was just morning when I went in the first time.

2513. Between one and two perhaps, or between twelve and one?—No, after that.

2514. What time did you go into Harwood's, about?—Between two and three, I think.

2515. You must have been up all night?—I was up all night, because a good many people kept the house open all night.

2516. Will you undertake to say you were not at Harwood's more than twice?—It may have been three times; I think twice.

2517. What did you go to Harwood's for?—To meet Mr. Harwood, and we talked of the Bridge Inn; there was a great deal of row going on there; and he said, "I say, Mr. John, will you come over and have a cup of coffee"? I said, "Thank you, sir, you are a gentleman."

2518. How long did you stay there?—I stayed there on one occasion some minutes; it may have been five or ten.

2519. Were there a great many people there?—There were several people, mostly full of fun; there was Mr. Stone, the butcher, and Mr. Thomas, baker, was there, and he is very full of fun; George Coles was there, he is a farmer.

2520. Were they all having coffee?—Yes.

2521. No grog?—No; I did not see a drop of grog.

2522. Beer?—I did not see any beer.

2523. Did you happen to be there the same time as Frederick Jones?—He went with me.

2524. Jones and Gilbert went with you to the "Lion;" how came Jones to go with you to the "Lion"?—He said, Mr. Harwood is a relative of mine; I will go over with you.

2525. What were you going to Harwood's for?—To have a cup of coffee.

2526. What did he go with you for?—I think he went and had a cup of coffee too.

2527. Do you know a man of the name of Reeves?—I do.

2528. Do you keep your horses at Reeves's?—I have them there for medicinal purpose; he is a veterinary surgeon.

2529. Had you had any conversation with him about the election?—I have spoken about the election; I have spoken since the election; I never did before.

2530. When did you have any conversation with him about it?—Only two or three weeks ago.

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2531. Is it true that you told Mr. Reeves that you were operating in Mr. Westropp's interest?—I never did anything of the sort.

2532. Nothing like it?—No.

2533. Is it true that you told him that a trifle should not prevent Mr. Westropp being returned?—I never said anything of the sort; I never said anything at all before the election.

2534. Then it is a pure fabrication?—A pure fabrication.

2535. Do you know the "Three Crowns?"—Yes.

2536. Have you been there during the election?—No, not once, to the best of my knowledge; I may go to the house sometimes; I was there on Monday morning with Mr. Triston.

2537. Will you undertake to say you were not there during the election?—I do not recollect being once in the house during the election; I may have been.

2538. Do you know a man named Dyment?—There are several Dyments.

2539. The man who is a haulier?—I think there are two hauliers.

2540. William Dyment?—I know nothing at all about William Dyment.

2541. Did you ever ask either of the Dyments for their vote?—I know Francis Dyment very well; I never asked him for his vote; he told me some time ago he was going to vote for Mr. Westropp.

2542. How came he to tell you that?—Because he knew me.

2543. Had you spoken to him about it?—I do not know which spoke first.

2544. Have you not asked him for his vote for Mr. Westropp?—I never asked him for his vote, because he volunteered it.

2545. Have you spoken to Dyment in the presence of Mr. Westropp?—Never in my life.

2546. Now be careful; I ask you, have you been with Mr. Westropp when you have seen Dyment?—I do not think I ever have.

2547. But you won't swear?—If I ever did, it was on the day I overtook Mr. Westropp.

2548. Do you know a person named Buller?—The only person named Buller is a clergyman of Over Stowey.

2549. Do you know a person named Roberts at the corner of Paulden-street?—Yes, very well.

2550. Is that anywhere near Barclay-street?—Yes.

2551. How far off?—There is about 200 yards from the opening of one to the opening of the other.

2552. Did you go to Roberts' house with Mr. Westropp?—I never did; I do not think I did.

2553. Will you swear you did not?—I swear, to the best of my knowledge, I did not.

2554. Have you not gone with Mr. Westropp, and Mr. Bealey Smith?—I believe I did not; I know they asked me when they were canvassing on the same day, if I knew where one or two persons lived, and I said yes.

2555. Will you now swear you did not go to Mr. Roberts' house with Mr. Westropp and Mr. Bealey Smith?—If I did, I never went in; I never speak to Roberts.

2556. That

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2556. That is not an answer. Have you been drawing a distinction between going to the house and going into it?—None whatever.

2557. I ask you, calling your attention to that, will you swear that you have not gone to Roberts with Mr. Westropp and Mr. Bealey Smith?—I never recollect doing so; if I did, I only went to show where the house was.

2558. Do you know a person named Harley?—I do.

2559. Do you know where he lives?—Yes, in St. John-street.

2560. Have you been to his house?—No, I never speak to him.

2561. I did not ask you that?—I never speak to Harley.

2562. Have you been to his house?—No, I have not.

2563. Have you not, previous to the election, at Mr. Richard Harley's house?—No, I have not, because Mr. Harley took the protection of the court, and cheated my father of 15*l.*

2564. Did you not call at his house previous to the election?—I never did.

2565. Do you know Mr. John Baker?—A carrier?

2566. Yes?—Very well.

2567. He lives in St. Mary-street?—Yes.

2568. Not far from the central committee?—No.

2569. Have you been to Mr. Baker's?—I very often go in; I call in to look at his dogs.

2570. Did it happen that previous to the election you had been into Mr. Baker's?—I never pass by the door without going in.

2571. Now I ask you, have you not been there with Mr. Westropp?—No, I am very certain I never did.

2572. Have you ever been in St. Mary-street with Mr. Westropp?—No, I am very certain.

2573. Will you pledge your oath?—Yes, my oath and my honour.

2574. Will you pledge your oath that you have not been in St. Mary-street with Mr. Westropp?—I will pledge my oath and my honour that I never was in St. Mary-street with Mr. Westropp during the election at all.

2575. Previous to the election?—Any time from the commencement of the election until after the poll.

2576. Will you pledge your oath you were not in St. Mary-street with Mr. Westropp during the time, from the 24th of June to the day of the poll?—Yes; if we passed in the street, it would be by the merest accident in the world; I may have been in the street at the same time as Mr. Westropp, but never with him.

2577. Do you know Mrs. Mary Plowman, wife of the assistant overseer of Bridgewater?—I do.

2578. She lives in St. Mary-street, doesn't she?—Yes.

2579. Have you not called at Mr. Plowman's house with Mr. Westropp?—On my oath, I do not think I ever did.

2580. Will you swear you never did?—It is quite contrary to my honour.

2581. Have you been in St. Mary-street with Mr. Bealey Smith?—Many times walked through the street with him.

2582. Have you ever called on Mr. or Mrs. Plowman with Mr. Bealey Smith?—I may have; I have no recollection of it.

2583. Do you not know that you have?—I do not; I have passed down through the street with him, but I never recollect calling there.

2584. You would not swear you did not?—No, I did not.

2585. I ask you, when Mr. Bealey Smith has been there with you, did not you and Mr. Bealey Smith and Mr. Westropp call at Mr. Plowman's house?—I have no recollection of the fact.

2586. That is all you say about that?—Yes.

2587. What part of the town do you live in?—I live in King's-square.

2588. Is that nearer to St. Mary-street or St. John-street?—It is rather nearer to St. Mary-street, I think, but there is very little difference if persons go the nearest way.

2589. One is one side of the river, and the other the other?—Quite so.

2590. The committee-room that you attended was St. John-street?—Yes.

2591. Not the one in your neighbourhood, but the furthest from it?—It may have been rather the furthest.

Re-examined by Mr. *Longfield.*

2592. Your present residence is not the same as it was then?—No, I used to live at a farm a little on the other side of the river.

2593. You know that part of the town much better than the other?—Yes, from passing through it more.

2594. The day you met Mr. Westropp, was it not some little distance from Mr. Osborne's house, when he asked you where it was?—Yes, you could not see the name, if you could see the sign.

2595. You pointed out to him where it was?—Yes.

2596. He could not, from where he was, see that sign?—No, it is impossible.

2597. Now, with regard to the conversation with the young ladies, I suspect that all your tongues wagged pretty freely?—Yes, we laughed exceedingly about it.

2598. Do you not speak upon almost every subject under the sun?—Oh, yes, all sorts of things; anything that is going on. When the racing was going on they asked me about it.

2599. Was it possible during the election for two people to meet without some part of the conversation turning upon the election?—Utterly impossible.

2600. Was that the way in which the conversation originated?—Yes.

2601. Do you know Reeves?—I do.

2602. Had you any conversation with Reeves about the election?—None whatever, until since the election.

2603. What was the conversation since?—He said he was going into bribery, meaning with regard to the election petition.

2604. Did he say anything more than that?—Yes, he said, "If Mr. Westropp's side will give me a retainer, I will prove bribery like a shot"; he said, "I want my retainer; why should I not get my retainer as well as anybody else."

2605. Did you see Reeves the night preceding the polling day?—I saw him on the bridge, speaking.

2606. In what state was he?—Awfully intoxicated.

2607. Did he vote?—No, I believe he went to bed drunk, and went to sleep; he told me he was drunk and incapable.

2608. Had you any conversation about bribery, except that in which he said he wanted a retainer?—Not at all.

2609. Was that since the election?—Months since.

2610. Was that the only occasion in which you saw him in the awfully drunken state that you have spoken of?—Oh no, the night before last, coming up in the train, I did.

2611. Have Mr. Hurley's circumstances brightened since his insolvency?—Yes, there is a well-known fact over the town that his cheques can fly now.

2612. Since the election?—Since the election.

2613. What were they before?—Very low.

2614. Who did he vote for?—Kinglake and Shelley.

2615. Did you canvass with Mr. Westropp any of those persons whose names were mentioned, Reeves, Roberts, Hurley, and Baker?—Baker I did not, and Reeves, for certain; I never went with Mr. Westropp, I know, to them.

2616. Do you know Mr. William Plowman?—Well, he is assistant overseer.

2617. Did you ever canvass Plowman with Mr. Westropp?—Oh no.

2618. Had you any conversation with Gilbert about his vote in the presence of Heal?—Never in my life.

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Mr. William Heal, sworn; Examined by Mr. *Cooke.*

2619. Are you a brewer, carrying on your business in the High-street of Bridgwater?—I am.

2620. Were you at the last election, and have you been for many years a registered elector in the borough?—Thirty years.

2621. Have you voted on all occasions at which you had an opportunity during that period?—Yes.

2622. I believe at the last election you gave your undivided vote to Mr. Westropp?—I did.

2623. Were you at Pimm's on the morning of the election, between eight and nine o'clock?—I was.

2624. And did you there meet other of the electors residing in that part of the town?—There were hundreds of parties there before I came there.

2625. Did you find when you got there several electors?—And non-electors.

2626. A great many?—There may have been a hundred, or more than that, of people; some I did not know.

2627. Did you go into the club-room?—No.

2628. Did you give away any drink or any entertainment on that morning at that house?—Never.

2629. Did you see any drink or entertainment go to any persons in the room where you were?—No.

2630. What part of the house were you in?—When I went in first I sat in the little lobby place, going in to where the engine is where you draw beer from.

2631. That is what they call the bar?—Well, it is a kind of bar, certainly.

2632. Were you in any other part of the house beside the bar?—Yes.

2633. What part of the house were you in during the time you were at Pimm's?—I went up-stairs.

2634. To what room did you go?—On the right hand side of the stairs going up on the first landing.

2635. Was it a bed-room or a sitting-room?—There were parties sitting drinking.

2636. Did you give drink to any of them, or pay for any drink for the parties in the room?—I had no money to do it.

2637. Did you do it?—No.

2638. Or did you pledge your credit for it?—Not at all.

2639. Or give any order for it?—Not a farthing, or a pint.

2640. Do you know a man named Joseph Stoodley?—No.

2641. Did you stop long in the room where you saw the people drinking?—I may have stopped five minutes, or I may have gone down-stairs and come up again.

2642. While you were there did you see drink brought in for any of those persons?—There was drink brought in.

2643. Had you anything to do with the ordering of it?—Not the slightest.

2644. Did you notice either one way or the other whether it was paid for or not?—I did not.

2645. Do you know a man of the name of Joseph Stoodley?—No, I never saw the man in my life to my knowledge.

2646. Had you any conversation with him that morning?—Never.

2647. Did you see him up-stairs that morning?—I did not.

2648. Has this man Stoodley been pointed out to you in London?—No.

2649. Had you a piece of paper in your hand in a room in that house?—These are all the papers I have (*producing several papers*).

2650. Had you those in your hand in that room?—No.

2651. Put those papers up for a minute; what papers are they?—What I have been subpœnaed on; the Speaker's warrant.

2652. You have been subpœnaed to produce some papers?—Yes.

2653. Were these papers or any other papers in your hand at the time you were in the room at Pimm's on the morning of the election?—No.

2654. Or any piece of paper whatever?—No.

2655. Did you ask any man his name who told you his name was Stoodley?—No.

2656. Did you put the name of a man called Stoodley on a piece of paper that you had in your hand?—No.

2657. Did you give to anybody, whether his name was Stoodley or anything else, at Pimm's on the morning of the election, two little bits of paper done up like cartridges?—No.

2658. Did you give money to anybody in the house?—No, I never had any to give.

2659. I only want to know the fact; either done up in paper or loose?—I did not.

2660. Do you know a man named Coles?—No.

2661. Did you see him that morning?—I do not know him.

2662. Were you in any private room up-stairs at Pimm's by yourself?—No.

2663. Did you see Gilbert that morning?—I did not.

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2664. Did Gilbert speak to you anywhere that day?—No, I did not see him.

2665. Do you know him?—I know him perfectly well, as well as I know my own brother.

2666. If you had been with him in any room at Pimm's on that morning, must you have recognised him?—I certainly should.

2667. Are you satisfied that you did not see him there?—I am perfectly satisfied that I never saw him on that morning at all.

2668. Did you bribe any voter during the election?—No.

2669. Or give money, or a promise of money?—I did not to any man.

2670. I do not know whether you are one of the persons who my friend Mr. Powell suggests takes an interest in election matters?—I have done so.

2671. Did you therefore offer bribes to anybody for the purpose of voting for the best candidate?—Not the last election; I do not say about the previous one.

2672. Do you know anything as regards Gilbert's position, as to who he was connected with in any way?—If I had had money to have given he would have been the last man in the world that I should have given it to, because I should have thought he would have gone and told of it.

2673. Do you know his connections with anybody?—I know his connections with the Liberal party, so that he would have been just the man to have gone and told of it, therefore I should not have given it to him even if I had got it to give.

2674. You know Mr. John Veysey, the young solicitor?—I do.

2675. Do you remember whether you saw him or not on the day of the poll?—I did not.

2676. Were you in the same room with him at Pimm's, during that day?—I never saw him.

2677. Did you get any money at this last election from Mr. Westropp or any of his agents to distribute to voters?—No, I did not, nor do I expect anything.

2678. I mean, to give away?—No, I did not.

2679. Do you know a man of the name of Staples?—I do.

2680. Did you see him at any time, either before or after the election?—I did, the day after the election; he came to our office.

2681. About what?—To ask me if I had got the lease of a house of my partner's, which he lives in, prepared.

2682. What did you say to him?—I said, "Well, Jack, you have had your money of Mr. Westropp, and gave it up," and he said, "No, I am damned if I did; I had it for freight of coal from Mr. Stone of Taunton.

Cross-examined by Mr. *Powell.*

2683. I believe this was the first time you ever voted for the Conservative party?—Yes.

2684. Did it happen that previous to your voting for Mr. Westropp, you called on Sir John Shelley?—No, it is not very likely; I never called on Sir John Shelley in my life.

2685. Did you, previous to the election, see Sir John Shelley?—I did.

2686. Had you been canvassed by him previous to the election?—I had, certainly.

2687. Had you told Sir John that you were very much disgusted with the Liberal party for refusing to license a public-house of yours?—I did not say those words; I told him I was annoyed, because the Liberal party would not grant me a license.

2688. And after telling him that, although you always voted for the Liberals before, you voted a plumper for Mr. Westropp?—I had promised Mr. Westropp prior to their coming to canvass me.

2689. Is it true that, notwithstanding your promise to Mr. Westropp, you saw Sir John Shelley, and promised to vote for him?—I did not.

2690. Do you know the office of Mr. Benjamin Lovibond?—Perfectly well; I have been there hundreds of times on electioneering matters.

2691. Did you see Sir John Shelley at Mr. Benjamin Lovibond's office after you had had the conversation with Sir John, in which you spoke about the Liberals refusing to license the public-house; did you see Sir John Shelley at Mr. Benjamin Lovibond's office?—Yes, and Mr. Kinglake; they were both there together.

2692. How came you to be at Mr. Benjamin Lovibond's office?—Because I was sent for; a gentlemen fetched me.

2693. Who was he?—Am I obliged to tell the name?

2694. By the *Committee.*] Certainly?—Mr. Barron fetched me.

2695. Mr. *Powell.*] Who may he be?—A solicitor of Bridgwater; he fetched me.

2696. To Mr. Lovibond's office?—Yes.

2697. Then you saw Sir John Shelley and Mr. Kinglake?—After I had seen Mr. Lovibond and he together.

2698. Never mind that?—But I cannot tell you unless I get the link to it.

2699. When you saw Sir John Shelley and Mr. Kinglake at Mr. Lovibond's office, did you promise to vote for them?—I did not.

2700. Will you swear that?—I will swear it.

2701. What did you say?—Sir John Shelley and Mr. Kinglake, I believe, both asked me if I would support them, and I said I had told Mr. Lovibond all about it, and he would know if he wanted to send for me, but as to promising them I never did, upon the honour of a man.

2702. Did you not at that interview in which you were accompanied by Mr. Barron, say, that since seeing them, you had made up your mind to vote for them, and did they not shake hands with you upon your so doing?—I never said such a thing in my life to either of them.

2703. Are you aware that Sir John Shelley is in the room?—Yes.

2704. Did you shake hands?—I may have done so.

2705. I do not pledge you to words, but did you not in substance say, that since seeing them you had made up your mind to vote for them, and did they not thank you, and shake hands with you?—Never, in sum nor substance either; I never promised them at all; how could I, when I had promised the other party.

2706. And that is as true as the rest of your evidence?—It is true.

2707. You know the "Golden Lion" very well, I suppose?—Well, I have been in there soliciting for orders before now.

2708. And you know Pimm, the landlord?—Yes, I am acquainted with him.

2709. Is he in London?—I believe he is.

2710. Do you know Jarman?—I do.

2711. Is he in London?—I have heard he is.

2712. Did

2712. Did you see Jarman at all at the "Golden Lion"?—I believe I did.

2713. Where did you see him at the "Golden Lion"?—I do not know which room I saw him in; I may have seen him there in the course of the day, as I did others.

2714. What day are you speaking of?—The polling-day.

2715. Now, as you may have seen him there in the course of the day, may I take it that you were there during a good part of the day?—I was there some part of the day.

2716. During a good part of it?—I was not there half the day; I was there some time.

2717. How long were you there?—I went there between eight and nine o'clock, and I went away again about 12; I may have been there three hours.

2718. May I ask what you were doing on the morning of the poll?—Like the others, drinking.

2719. Where?—Downstairs and upstairs.

2720. You live in the High-street?—Yes.

2721. That is the opposite part of the town?—Certainly it is.

2722. What took you to the "Golden Lion"?—Because I was a friend of Mr. Westropp's, and I thought I would go down and see if I could get some men to poll for him.

2723. That was what kept you there during all the time you were there?—I was not kept there very long.

2724. Did you get some men to poll for him?—I asked some to poll.

2725. Who did you ask?—I do not know that I knew a single one of them; they were foundrymen.

2726. Then perhaps you will tell the Committee how you came to know they were voters?—Because they were pointed out to me.

2727. By whom?—I heard some of the parties say that these men were voters.

2728. Who were they?—I do not know; they were labouring men; there were hundreds of men in and out in the course of the day.

2729. How did you know that these persons were electors?—Because they were together, in parties.

2730. Did they go to the poll in parties?—I believe they were formed there in parties, and went up to the poll.

2731. You say you went upstairs?—I did.

2732. What did you go upstairs for?—To see who were there and who were not.

2733. Were there a good many people upstairs?—Yes, voters and non-voters; there were hundreds of people passing in and out in the course of the day.

2734. How long were you upstairs?—Perhaps five minutes at a time.

2735. Were you up there several times?—Yes; I went up there several times in the course of the morning.

2736. Were you at Pimm's in the afternoon?—No.

2737. Where were you in the afternoon?—Home, at my own house.

2738. What time will you swear you got home to your own house?—I believe I polled before one, and went straight home.

2739. You did not go out afterwards?—I went to the front door, but never went into a single house during the whole of the day.

2740. You had done your work when you went to Pimm's?—I had polled, like other men did: I do not know what kind of work you mean; I had work to do at home; I had to go and attend to my brewing, and I did so.

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2741. Do you know the "Albion"?—I do, very well.

2742. Have you been there during the election?—Not at all.

2743. But you have been there?—I went there once, but it was before the election, and before a dissolution was likely to take place.

2744. Not during the election?—No.

2745. Do you know Mr. Boys?—I do.

2746. Very well?—I do.

2747. Did you see him on the day of the election?—No, not at all.

2748. Did you see him previous to the election?—I may have seen him, because he walks in front of our house to go to his meals.

2749. Have you seen him otherwise than going to his meals?—Not to have any conversation with him.

2750. You know Mr. Veysey very well?—Yes.

2751. Is he a great friend of yours?—No, he is not a friend of mine.

2752. Are you a good deal in each other's company?—No.

2753. He is a casual acquaintance?—Just the same as another man may be; I have had a glass of beer with him before now, and I speak to him when I meet him, and he speaks to me.

2754. Is that all?—I have had an occasional glass of beer with him.

2755. No further intimacy?—Not at all.

2756. Let us have no misunderstanding; you have had an occasional glass of beer with him, and you say "How do you do?" when you meet, and that is all your acquaintance with him?—That is all.

2757. And that you pledge your oath to?—I do.

2758. Did it happen that you were at Taunton together lately?—Yes.

2759. Was he with you last Sunday?—Well, I do not know whether I stood at the door, and he came along, and spoke to me, or not.

2760. Was he with you last Sunday?—Well, I tell you I don't know; if I was standing at the door he may have come and spoken to me.

2761. By the *Committee.*] Do you mean to say your recollection does not carry you back to last Sunday?—I do not believe I saw him last Sunday.

2762. Will you swear that you did not see him last Sunday?—I really do not believe that I did see him last Sunday at all; I do not know if he passed as I was standing at my door, or not.

2763. You say deliberately, on your oath, that you did not see Veysey last Sunday?—I do not believe I did, but I do not pledge my oath that I did not see him.

Re-examined by Mr. *Cooke.*

2764. You do not recollect seeing him last Sunday?—I do not.

2765. May you have seen him?—I may have; if the gentlemen will give me any hint about it, I will tell him the truth.

2766. If Veysey has said that he saw you last Sunday, is that likely to be true?—He may have seen me passing by my door.

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2767. And may have spoken to you?—He may have done so.

2768. Does he pass your brewery sometimes?—He does sometimes; and sometimes I go and have a glass of ale with him at an inn.

2769. Sometimes he goes to your brewery?—Yes; I may have given him a glass of beer, or perhaps 20 glasses of beer, or perhaps 40 glasses since I have been there.

2770. In your brewery?—Yes; and when we have been out he may have asked me to take a glass of beer, and he might have paid for it sometimes, and sometimes I might.

2771. Have you met him at other places besides Taunton?—I may have seen him at other places, but not to go with him; I never went a journey with him in my life.

2772. I suppose on the railway you may have seen him?—Yes; or I might have been out in a trap, and may have seen him.

2773. Had you a conversation with Veysey at Taunton?—I was on the jury, and returned a verdict against him; that was the only thing I had to do with Veysey in Taunton; I was one of the jurymen, and returned a verdict against him, because the evidence was against him.

2774. Now, when Sir John Shelley and Mr. Kinglake came to canvass you on the occasion my friend has asked about, was Mr. Benjamin Lovibond with him?—Yes.

2275. And was Mr. Cooke, the attorney, with them?—That I am not so sure of; but Mr. Lovibond was there, because I had a conversation with him.

2776. You say you told them on that occasion that you considered yourself ill-treated?—I did.

2777. Did Mr. Lovibond himself, either then or after, come to you on the subject?—When I left the room he came outside the door.

2778. What passed between you and Lovibond at the door?—Mr. Lovibond asked me why it was I was not going to support them; and I told them I had been ill-used; that I had applied for a license, having been a Liberal man all my life, and the Liberal magistrates on the bench would not grant me a license.

2779. What did Lovibond say to that?—He said if I was not going to vote for them, he'd be d——d if he would not put up his electioneering shutters.

2780. This was the first time at the Bridgwater election that you had not been guilty of bribery?—Yes.

2781. Was anything said by Mr. Lovibond about coming to his office?—He asked me to come to his office in an hour.

2782. Did he tell you for what purpose?—He said it should be made right.

2783. Was your partner there at the time?—He was.

2784. Did you go in an hour to see if things could be made right?—I did not.

2785. Did Mr. Barron come and ask you to make a proposal, and did you make one in consequence of his request?—I did.

2786. Was he the agent for Sir John Shelley and Mr. Kinglake?—I do not know.

2787. At all events, he asked you to come to a place where you found Sir John Shelley and Mr. Kinglake?—Mr. Lovibond came to me first, I believe; he was there when I came down.

2788. At all events, at this time Mr. Barron came to speak to you, and you went at Barron's request?—I did; but you must understand that I did not know Mr. Barron as an agent.

2789. When Barron asked you to go, did he go with you to the office?—No.

2790. How came that?—Because Mr. Barron went down the front way and I went the back way.

2791. Why did you not go together?—Because it was arranged.

2792. Who arranged it?—I and Mr. Barron.

2783. Were you afraid or ashamed of being seen together, or what?—I do not know why it was, but it was proposed.

2794. Did you propose it, or Mr. Barron?—I will not swear which of us did.

2795. Now, when you got to the office in consequence of Barron's invitation, what passed on that occasion?—Electioneering matters were talked over, and of course there was talk as to which of the gentlemen would be most likely to win.

2796. This was between you, Lovibond, and Barron?—Yes, at the door.

2797. Were these two honourable gentlemen there?—No, there was a door parting us; Sir John Shelley was in the right-hand room going in, and we went in on the left-hand side.

2798. Were you asked by Lovibond and Barron to work for Sir John Shelley and Mr. Kinglake?—Yes.

2799. What answer did you make?—I told them I did not know what I should do yet.

2800. Was there any sum of money mentioned?—I mentioned 40*l.* that I had been promised on the former election, and which they cheated me out of; I do not mean to say that Mr. Lovibond did, and I am not speaking of Sir John Shelley.

2801. Tell us the history of that?—I have told you that I have in my time, and I am not ashamed to own it, taken much interest in electioneering matters; and in the election in the year '57 I was promised 40*l.*, if I would get the Members into Parliament; I worked hard, and we returned them, and I did not get the 40*l.*

2802. Now, I must ask you to attend to me. I want to know what was said at Lovibond's office upon this occasion, when Barron took you there, about the 40*l.* that was promised?—I told them about the 40*l.* that was promised me.

2803. You told Lovibond and Barron?—Yes.

2804. What did they say when you told them that the 40*l.* which had been promised in '57 had never been paid?—Mr. Lovibond said he did not know it; and I told him that Mr. Foster, a clerk of his who is dead, had promised it, and that he had not paid the 40*l.*; and I went to Colonel Tynte's, and showed him a list where my name was down for 40*l.*, and I never had a farthing of the money.

2805. That is what you told Lovibond?—Yes.

2806. And I suppose the very idea of a voter having 40*l.* quite astonished him?—Of course he did not understand it.

2807. What did he say when you had gone into your narrative of the grievance about the 40*l.*; did he say anything as to its payment?—He told me if I would work for him, it should be right; he meant the money.

2808. Now, after they told you that, were the two candidates introduced?—Yes; they asked me if I would like to see them.

2809. Was that after they had asked you if you

you would work for them, and said it should be right?—Yes.

2810. Were you taken in to them?—I was taken into Sir John Shelley and Mr Kinglake; they may have heard what I said for aught I know.

2811. When you were taken through the door in to the candidates, what passed?—The gentlemen asked me if I would vote for them; and I told them that if Mr. Lovibond wanted me, he would know where to send for me.

2812. He knew your terms?—Of course he did; but you must understand that if they had given me any money I could not have voted for them, because, prior to that, I had promised Mr. Westropp.

2813. Was anything said in either one office or the other about the chances of the election?—Yes.

2814. What was that?—Mr. Lovibond asked me, in the event of anything being done, by which of course I knew he meant money, what was my opinion upon the election; and I told him I thought the chances would be that Mr. Westropp would be returned; he asked me why, and I said because he was the most popular man.

2815. Did you at any time hold out to Sir John Shelley and Mr. Kinglake that you were going to be one of their supporters?—I never held out the slightest hope to them.

2816. I suppose the remark about the popular man was when you were with the two attorneys?—Yes.

2817. Is it the custom at Bridgwater to call public-houses by the sign over the door rather than by the landlord's name?—Yes, or sometimes they say, "Coles', Duke of Wellington Inn," or any other name.

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2818. You have been asked about the "Golden Lion," and you say you were there about three hours; did you see any money paid to any voter during that time?—Not a halfpenny, nor any coin at all.

2819. Did you pay, or sanction the payment of any money?—Not a farthing.

2820. Was any money paid at all?—Not a farthing, nor a pint of beer, to my knowledge.

2821. You say there were some foundry-men there, and you asked them for their votes?—Yes.

2822. Did the election take place on the market-day?—On a Wednesday; but our market-day is altered from Wednesday to Thursday.

2823. You were asked if you saw a man named Jarman?—I may have seen him there in the course of the day.

2824. Did you see him on the landing?—I do not know whether I did or not.

2825. Have you any recollection of seeing him?—I do not know that I did.

2826. There was a number of people there, and he might or might not have been there?—There was some 500 or 600 people passing in and out in the course of the day, and he may or may not have been there.

2827. By the *Committee.*] Were the 500 or 600 people in "The Golden Lion"?—Yes, during the day. It is a very populous locality, and there are hundreds of founders and labourers a little way off; they had got an interest in it, no doubt, and they were passing in and out, but they were people whom I did not know.

Mr. THOMAS HENRY BOYS, sworn; and Examined by Mr. *Longfield.*

2828. You reside in Bridgwater?—I do.

2829. What position do you fill in Mr. Smith's office?—I am the first clerk in the office.

2830. Are you an elector of the borough of Bridgwater?—I am.

2831. Did you vote at the last election for Mr. Westropp?—Yes, I did.

2832. Do you know a man of the name of John Cooze?—Yes, very well.

2833. Did you see him the day before the election?—Yes, I did.

2834. About what hour?—I think between six and seven in the evening.

2835. Where did you see him?—I went to his house.

2836. Was he there when you went?—He was not in the house. I sat with his wife for two or three minutes, and Mr. Andrew Allen came in, an opponent of mine, and I left the room, and went into the garden, where I found Cooze.

2837. Who is Mr. Allen that you met there?—Mr. Andrew Allen is an elector of the borough, in the Liberal interest.

2838. He was at Cooze's house when you called?—No, he called when I was there.

2839. Then you went into the garden?—Yes.

2840. Was it usual for you to call upon Cooze?—Oh! very often.

2841. He was an old acquaintance?—Not an old acquaintance, but relations of mine had kept premises adjoining Cooze's house; another paid Cooze rent for that place, and I used to have a horse there occasionally; that brought me to the place.

2842. You saw Cooze in the garden?—I did.

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2843. Had you any conversation with him about the election?—I had a few words with him.

2844. What did you say?—I asked him if he intended to vote for Mr. Westropp in the morning. He said, "I do not know, and I shall not promise you."

2845. Nothing more?—No, I left him.

2846. Did you see him during the evening?—Yes.

2847. Where?—About half-past nine, I was standing at my gate.

2848. Is that near Cooze's?—I should think 200 yards from his house, in the same street. I saw him go home with his daughter.

2849. In what condition was he then?—Well, I should think he was very tipsy.

2850. Did he exhibit the usual signs?—He did; he staggered along, and his daughter was holding him as best she could.

2851. What night was that?—The night before the election.

2852. His daughter was holding him in the best way she could?—Yes.

2853. He was going in the direction of his house?—He was.

2854. Did he say anything to you then?—Yes, he met me as he was passing, and he said, "I have seen some one to-night, and I must have over 30 *l.* to vote for your side.

2855. What did you say?—I said, "I know nothing at all about it, John."

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2856. Did any further conversation take place then?—Nothing whatever.

2857. When did you see him after that?—I should think it was about half-part nine next morning that I saw him.

2858. By the *Committee.*] That is, the morning of the poll?—Yes.

2859. Mr. *Longfield.*] About half-past nine?—Yes.

2860. Had you any conversation with him then?—I will state that I saw him in the High-street, and I said, "John, have you polled?" He said, "No, I have not;" and I said, "You may as well run in and poll, now you are here."

2861. Did you say for whom he was to vote?—I did not ask him to vote for Mr. Westropp on that morning; but I said, "You may as well run in and poll." He understood that from my asking him on previous occasions.

2862. What was the answer?—He said, "I want a drink."

2863. What did you say?—I said, "Well, John, I will pay for a glass of beer for you; come along with me."

2864. What did he say?—He said, "Where are you going then?" I said, "Let us go across to the 'Albion.'"

2865. Is that near?—I suppose the "Albion" would be 250 yards from the place where I then saw him.

2866. Did you go with him?—Yes, I went with him.

2867. Was there any person at the "Albion" whose name you know?—Oh, yes; we went to the "Albion" bar door.

2868. Who was at the bar door?—I saw Mr. Robert Bussell in the bar, standing by the fireplace.

2869. Did anybody else come in then?—I asked Cooze what he would have to drink.

2870. Did any relative of Cooze's come in?—His daughter came. I should think we had been at the bar door for only about five or six seconds when the daughter came. Mrs. Crabham, the landlady, had not time to draw any drink until the daughter came.

2871. Did you offer the daughter a glass of beer too?—I did.

2872. What did she say?—She said she would have some, and I told Mrs. Crabham to draw a quart of beer.

2873. What then?—We had a quart of beer and Miss Cooze paid for the beer.

2874. Did you go to the poll then?—I went to the poll.

2875. Did you then go behind the house with Cooze?—Behind what house?

2876. The "Albion"?—No.

2877. Did you then give him any money?—Certainly not.

2878. Did you, some way down the back of the "Albion," give him two cartridges or two pieces of blue paper at that time?—Certainly not.

2879. Did you give him one cartridge or any cartridge?—Nothing whatever. I did not go from the back of the door with the man.

2880. Or at any other time?—Nor at any other time.

2881. Did he then, in your presence, take and open any two pieces of paper?—Certainly not.

2882. Did you say to him, "You b——y fool, why did you open them"?—No, never.

2883. Did he say they might be a lot of farthings?—No, never.

2884. Did he tell you that he had got any money from Westropp?—No.

2885. Did he go to the poll with you?—We left the house immediately the beer was drunk, and we had gone about 100 yards from the house when Mr. Bussell overtook us, and we walked through the market-place the three together. We went to the poll; he recorded his vote for Mr. Westropp, and I told him I was obliged to him.

2886. At what hour was this?—This would be drawing on to about 10 o'clock.

2887. Was the election, in fact, won then?—Oh, yes, certainly.

2888. Is it true or false that you gave him any money either at the "Albion" or any other place for his vote for Westropp?—It is false.

2889. No money whatever?—It is certainly false.

2890. Do you know the "Bull and Butcher"?—Yes, very well.

2891. Is it the custom to call the public-houses in the town by the names of their proprietors more than by their signs?—Well, a man of the name of Tremlett occupies that.

2892. Now, the "Golden Lion"; is that generally known as the "Golden Lion" or "Pimm's Hotel"?—"Pimm's House."

2893. They speak of it by the name of the landlord instead of using the sign?—Yes.

2894. Did you ever go to the "Bull and Butcher" with Cooze?—I do not believe that I did.

2895. On that day?—I do not remember that I did, and I do not believe that I did.

2896. Did you see a man of the name of Reeves at all at the "Three Crowns" during the election; the veterinary surgeon?—I don't believe I did; I do not remember doing so.

2897. Did you say, in his presence, to a number of voters, "Have what you like, and I will pay for it"?—Oh, never.

2898. Did you treat voters there at all?—I may have paid for a glass or two of beer for voters, but not to any extent.

2899. Whenever you and a voter met at a place you may have given him a glass of beer?—I dare say I have several times.

2900. Do you know a man of the name of John Staples?—Yes, very well.

2901. Do you remember his coming to Mr. Smith's office after the election?—Yes.

2902. What did he want?—A warrant.

2903. Against whom?—George Wilton.

2904. Is Mr. Smith in any official position?—He is the magistrate's clerk, of which I have the management.

2905. He applied for a warrant against George Wilton?—He did.

2906. Mr. *Powell.*] Were you present?—He applied to me.

2907. Mr. *Longfield.*] Did you ask what it was for?—Yes; I asked what he wanted a warrant for, and he said, "Gough and some others has been to my house and robbed me of 10 *l.*"

2908. Did he tell you what the 10 *l.* was?—He said the 10 *l.*, what they took from him, was hard-earned money for freight, which he received from Mr. Stone, of Taunton.

2909. What did you say?—I advised him to go to a solicitor, and take his advice.

2910. Have you seen him since?—Oh, several times.

2911. To

2911. By the *Committee.*] Did he say that they had entered his house, and abstracted this money?—He said that a man named George Wilton, and a man named Gough, with others, had been to his house and robbed him of 10*l.*, moneys that he had earned for freight of a vessel, which he had received from Mr. Stone, of Taunton.

2912. Mr. *Longfield.*] You understood him to use the word "robbery" as taking it away, or did he state that they had broken into his house to commit a robbery?—No; I certainly did not understand that. I had previously heard something of these rumours, but not through the man Staples. The words he made use of to me were: "They have been to my house, and have robbed me of 10*l.*," and I advised him to go to a solicitor.

2913. You had heard rumours, and knew that it was in reference to this?—Yes.

2914. That it was a civil case, and not a criminal case?—Yes.

2915. That it was not a case of robbery at all?—Yes; but I mentioned to you his own words.

2916. Have you seen Staples at any time since?—Yes; five or six times since then.

2917. Have you had several conversations with him about this very transaction?—Yes, I have.

2918. And about the money that Wilton took from him?—Yes.

2919. What is the account that he has always given you of that?—A very similar statement to what I have just stated; that he earned this money by hard work; that he did not see why his wife and family should be robbed in this manner.

2920. Did he mention the person from whom he earned it?—Yes, Mr. Stone, of Taunton.

Cross-examined by Mr. *Powell.*

2921. You have had frequent conversations with him about this matter?—I may have had five or six.

2922. Pray, had Messrs. Smith been professionally engaged for Staples at any time?—I do not remember.

2923. But I will beg you to try. Had Messrs. Smith, or either of them, been professionally engaged for Staples?—I do not remember.

2924. Will you say they had not?—No.

2925. Was Staples sent for to Messrs. Smith's office about this matter?—Certainly not.

2926. You had heard rumours about it?—Yes.

2927. Then do I understand from you that Mr. Staples called at Messrs. Smith, the solicitors' office, and made a complaint that some one had robbed, that is, illegally taken away, his money?—Yes, certainly.

2928. Is Mr. Wilton a merchant in Bridgwater?—I believe he is.

2929. One of the principal merchants there?—Well, he may be.

2930. You had heard rumours about the matter?—I had.

2931. Had you heard it rumoured that he was saying that he had got the money from the Blue party?—Yes.

2932. Had it struck you that the granting of a summons before the magistrate would be an excellent opportunity for the Blue party to show that it was false?—Certainly not. I advised him to go to a solicitor.

2933. But it did not strike you that as there are rumours that this money had been paid to him by the Blue party, that to have the matter inquired into before a magistrate would put the matter straight as respects the Blue party?—Not at all; because I knew there was no foundation as regards the Blue party.

2934. Therefore you did not think it worth while to have it investigated?—Oh, no; certainly not.

2935. Messrs. Smith are solicitors, are they not?—They are.

2936. You advised him to consult a solicitor?—Yes.

2937. Why did you not act for him?—Because Mr. Smith was the magistrate's clerk.

2938. But he was solicitor too?—They would not advise on magisterial business.

2939. You advised him to consult a solicitor, to get his money in a civil point of view?—Oh, nothing of the kind.

2940. Then you thought it was a criminal matter?—I advised him to consult a solicitor before I issued a warrant.

2941. Did you, or did you not, think it was a criminal matter?—I do not know, but through the man's statements I did not feel myself justified in issuing a warrant against Mr. Wilton, unless I was advised by a professional man.

2942. Why did you not suggest a summons?—I never do in such cases.

2943. Pardon me, but I have had a good deal of session practice?—You may have.

2944. Why did you not suggest that?—Because it is not usual.

2945. At any rate, you did not suggest it?—No.

2946. So far as you know, you declining to issue a warrant put a stop to all proceedings?—I did not hear anything further about it in the office.

2947. Did you hear that, although they had robbed Staples of his 10 sovereigns that they had left 10 in the place of them?—No.

2948. You knew the committee-rooms, I suppose?—What committee-rooms?

2949. Were there committee-rooms?—Oh, yes.

2950. How many?—Do you mean Radical committee-rooms?

2951. No, I am not dealing with the Radicals at present; I will leave them to my friend. Were there any Conservative committee-rooms?—There were two Conservative committee-rooms.

2952. Where were they?—One room was in St. John's-street, and the other in St. Mary-street.

2953. How do you know that?—I saw the committee-room.

2954. I suppose that was very plain to be seen by everybody?—I should think so.

2955. Were you ever in either of the rooms?—Oh, yes.

2956. In both of them?—No, not both.

2957. Which have you been in?—In the St. Mary-street one.

2958. What were you doing there?—I am sure I cannot remember what I did; I did lots of things.

2959. You know you are a professional man, and your time is valuable; what were you doing there?—Lots of things.

2960. Tell us two or three of them?—It would take me some time to consider what I did there.

 2961. Tell

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2961. Tell us some of them?—I could not tell you what I did there now.

2962. As you have done such lots of things, tell us some of them?—I cannot.

2963. By the *Committee.*] It is impossible that you have forgotten that, Mr. Boys, and it will save our time if you will tell us at once?—I will tell if I recollect; we had the poll books there looking over, and referring to the names of new voters, and seeing their addresses, and so on. I do not remember anything else in particular. I know I was in and out several times, and sometimes I stayed there for half an hour without doing anything.

2964. Mr. *Powell.*] Every day?—No.

2965. But you were there every day?—I might have been in and out, but not to sit there an hour or two hours in the day.

2966. Now, tell me whom you mean by "we"?—A man of the name of Danger was there; Mr. Lilley was there, Mr. Tremlett was there.

2967. He is the gentleman of the "Bull and Butcher," I believe?—No, he is not.

2968. What inn does he keep?—No inn at all.

2969. There is a Mr. Tremlett who occupies an inn?—Yes.

2970. That is not the man?—No.

2971. Is he the son of the Mr. Tremlett, of the "Bull and Butcher"?—Yes; it is impossible for me to remember the names of all who were there.

2972. But you must try and recollect. I do not think you have given us some of the principal ones; we have heard it all this morning, so you may as well out with it?—I will not tell you anything but the truth.

2973. Mr. *Longfield.*] Tell the names of any persons you recollect?—I do not remember who were in and out during the day; a man of the name of Hayward was there.

2974. Mr. *Powell.*] You have got him from the depths of your memory; is there anything else that arises except Hayward?—I cannot remember.

2975. Do you mean to represent to the gentlemen of the Committee that you can remember no other persons?—Will you ask me who was there?

2976. No; first of all, I ask you, do you pledge your oath to the Committee that you do not remember the names of any other persons attending the committee-room beyond those whom you have mentioned?—Just now, I do not.

2977. Did you ever see Mr. Veysey there?—Yes.

2978. You have, really and truly?—I have, once or twice.

2979. Now I have refreshed your memory by his being there once or twice, did he act as secretary to the committee?—Certainly not; there was no secretary to that committee.

2980. That is the St. John's-street?—Oh, no; the St. Mary.

2981. Mr. *Powell.*] He did not act as secretary there, but you have seen him there?—Yes, he would be in and out.

2982. You do not remember anybody else?—No.

2983. Mr. *Longfield.*] Did you see him in and out of Mary-street or John-street?—Mary-street.

2984. Mr. *Powell.*] Did you ever see Mr. Joseph Richard Smith there?—Yes.

2985. Had you forgotten him?—I had.

2986. He took an active part in the election?—No; I do not know what you mean by active.

2987. Did you see Mr. Stroud there?—Yes, Stroud was there.

2988. Was Mr. Harden there?—Yes.

2989. And Harwood also?—Yes, I saw him there once

2990. Jarman?—Yes, William Jarman was there; Frederick Jarman, the baker, I mean, I did not see him there.

2991. Will you swear he was not?—I have no recollection of seeing him there.

2992. Will you swear that Frederick Jarman was not there?—William Jarman was there; but I have no recollection of seeing Frederick Jarman there.

2993. Was Pimm there?—I have no recollection of seeing him there.

2994. Will you swear you did not see him there?—He might have been there lots of times, and I may not have seen him there at the time; but I did not stay there all day long.

2995. I know you were not there all day long; I suppose it would not surprise you to hear that he had been there?—Well, he might have been there, but I do not remember seeing him.

2996. I understand you distinctly to say that you were never in the committee-room in St. John's-street?—No.

2997. Never within the room?—No, I was never there at all.

2998. Now, you have known Cooze some time?—Yes.

2999. It is the fact that you were at the "Albion" with him?—Yes, it is quite true.

3000. Did you go to the poll with him?—I did.

3001. From the "Albion"?—From the "Albion."

3002. You stood by him while he gave a "plumper" for Westropp?—I might have been two or three feet from him.

3003. You walked straight from the "Albion" to the poll with him?—Yes, accompanied by Robert Bussell a part of the way.

3004. Do you know a person named Joseph Reeves?—Yes.

3005. Have you known him some time?—Yes, some years.

3006. Do you know an inn called the "Three Crowns"?—Yes, very well.

3007. Were you ever at the "Three Crowns" with him?—No, never with him.

3008. Did you ever see him there?—I may have seen him there, but I have no recollection of it.

3009. Did you pay for any drink there?—I took parties there with me, three or four friends of mine, and we had a glass of ale during the day, perhaps two or three times.

3010. Voters?—Oh, yes; and I paid for the drink at the time.

3011. Do you know the "Golden Lion"?—Yes, very well.

3012. And you Mr. Pimm very well?—Yes.

3013. And you know Mr. Heale very well?—Yes.

3014. You frequented the "Albion" a good deal during the election; a good deal?—Not a great deal.

3015. It was the house you patronised chiefly, was it not?—No.

3016. Did you take voters to the "Albion"?—I may have taken half a dozen or a dozen.

3017. And gave them some drink?—Yes, and I paid for it.

3018. Did

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3018. Did you ever have any conversation with Joseph Reeves about his vote?—Never.

3019. Never made him any offer, or gave him anything for it?—Never.

3020. As to this story of Cooze about the two packets of 5*l.* each, that is an entire fabrication altogether?—That is a falsehood altogether.

3021. You have known him for some time?—Oh dear, yes.

3022. How many times did you call upon him previous to the polling day?—I might have been at his place about two or three times a week.

3023. What for?—I used to go there with my brother there very often.

3024. What for?—He has a stable there and pig stye there.

3025. You did not go to look at the pig stye?—Oh yes, I did, to look at the stock there, and an aunt of mine kept her horse there, and we used to have her horse from there very often.

3026. Is there a bowling alley there?—Yes.

3027. Did you speak to him in the bowling alley?—I have, frequently.

3028. Did you ask him to vote for Westropp then?—I might have done so frequently.

3029. Did he tell you he should not?—No.

3030. What did he say?—He told me he should not promise.

3031. Did you not say to him, "If you will not vote for us, get some money from the Liberals and bring it to me"?—Nothing of the sort.

3032. Did you say to him in substance, "If you will not vote for us, get some money from the Liberals and bring it to me; I do not care if it is only 3*l.*; if you can get it I will give you as much as 30*l.* for it"?—Nothing of the kind.

3033. That is as much a fabrication as about the packets?—Nothing of the kind took place.

3034. How soon after the poll did you hear there were these rumours that you have spoken of?—The rumours about Staples?

3035. No. When did you first hear that Cooze had said anything about these packets?—I think two days afterwards.

3036. Did you ever do anything in the matter?—Oh, no; I knew it was an untruth.

3037. Did you ever do anything about it?—No.

3038. Nothing at all?—No; I cared nothing about it.

3039. You say you heard about it; did you hear that Ambrose Dyer had had money and had marked it?—Not then.

3040. When did you hear that?—It might have been three or four weeks after that that I heard the name mentioned.

3041. You heard, three or four weeks afterwards, that Ambrose Dyer had got the money?—Yes.

3042. Did you do anything upon that?—Nothing.

3043. Do you know a man named Gilbert?—Yes.

3044. Who is he?—A tailor.

3045. Where does he live?—In Westport.

3046. That is not the man; his name is William Baldock Gilbert?—Oh, yes.

3047. Where does he live now?—He lives at a place near South Molton.

3048. How far may that be from Bridgwater?—It may be 40, 50, or 60 miles.

3049. Cannot you tell me nearer than that?—I never measured the distance.

3050. Have you the least doubt that it is 90 miles?—I should not think so much; it may be.

3051. When were you there?—About three weeks or a month ago.

3052. What did you go there for?—I heard that his vote was going to be objected to.

3053. Before this Committee?—Yes.

3054. And so you went over 90 miles, if it is as much, to see him?—Yes.

3055. Had you heard when you went to see him that the allegation was that you had bribed him, and that for that reason his vote was objected to?—I heard it.

3056. Do you know that he was brought up here by the petitioners upon this inquiry?—I heard he was here.

3057. You went to see him, and you have seen him in London?—I have; I saw him to-day.

3058. Do you know that this man that you went all those miles to see has been missing, and we have not been able to find him?—Certainly not; the man was here in the course of the day outside.

3059. Now when did you first see him in London?—Last evening.

3060. Where?—At the "Grosvenor."

3061. Are your party staying there?—What party do you mean?

3062. Do you not know what I mean by your party?—No; I do not understand the question.

3063. Is Mr. Smith staying there?—Yes.

3064. And some of his witnesses?—Yes.

3065. And you?—No.

3066. And you saw him at the "Grosvenor" last night?—I did. He told me this morning that he was here yesterday. I saw him this morning in the lobby, and I said, "Where were you;" a man of the name of John Sheridan was enquiring for him, and he said, "I was here twice yesterday, and I had two glasses of ale here."

Cross-examined by Mr. *Longfield.*

3067. A warrant was applied for against a respectable individual in the town?—Just so.

3068. And you thought it your duty, as a magistrate's clerk, when the imputation was so grave, to refuse the warrant until the man brought a professional adviser?—I did think so.

6069. You did not think it was right to issue a warrant upon such a statement?—I thought it right to have the advice of a professional man. If he had applied for it I should have issued it, but I would not take the responsibility on myself.

3070. I suppose sometimes the voters paid themselves for what they had, and sometimes you paid for them?—Yes.

3071. Men who had promised to vote for you before?—Yes.

3072. Now have you looked on the list of voters objected?—Yes, I have.

3073. Did you say that this man, Gilbert, was objected to on two grounds, non-residence and because he was bribed?—Yes.

3074. Did you go and ascertain all about the facts as to non-residence?—I applied to Gilbert, and asked him what answer he had to make to the allegation against him of being bribed. He said that he had never been bribed by any means at all; but he told me he had received 10*s.* worth of postage stamps a few days previous to the election, and they were in an envelope, but the envelope contained no letter, and had no idea who these things were from. He likewise told

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told me that he had received two letters from a man named John Sheridan, who is Mr. Benjamin Lovibond's servant, and one of those letters solicited his vote in favour of the Liberal candidates; it stated that Sir John Shelley was a large landed proprietor, and he would be very likely to do something for him if he came and voted for him. That was signed by Mr. John Sheridan. It was signed by Sheridan, and it was not in his handwriting. He stated the handwriting appeared to be that of a clerk of Mr. Lovibond.

3075. Did you speak to him about the election; that it was stated that he had been bribed by you?—Certainly.

3076. What did he say?—He stated it was false.

3077. Was it false or true?—False.

3078. Did you ask about the non-residence?—I did.

3079. Did you find out the facts connected with it?—Yes; I found out that the vote would be objected to.

3080. The man has been here, and is here?—Yes; I saw him just before I came in.

3081. By the *Committee.*] You have stated you had a variety of conversations with Staples in regard to this robbery that he alleged to have been committed?—I have met him in the town five or six times, and talked with him.

3082. Did he tell you in what manner the money was abstracted?—He told me they had him up-stairs and took the money from him.

3083. From his person?—Yes.

3084. They robbed him?—Yes.

3085. In his own house?—Yes.

3086. Do you believe that story?—I do not know about believing the statement, but I could not say whether it was true or not.

3087. His wife has told you the same thing?—His wife has told me that they took him upstairs, and took the money from his person, and that he had applied for the money since, and they would not give it up.

3088. Mr. Wilton being one of the principal merchants in Bridgwater?—Yes.

3089. Mr. *Longfield.*] And for that very reason you thought it an improbable story, and refused to act upon it at once without advise?—Certainly; that is the reason why I would not grant the warrant.

3090. By the *Committee.*] And you do not believe it now?—I do not know about that; I can only give you the statement as I heard it. I cannot say whether it was true or false.

3091. When did you first hear about these cartridges having been given to anybody during the Bridgwater election?—I think two days after the election.

3092. Did you hear of it only in the case of Cooze?—I only heard it in the case of Cooze.

3093. And you disregarded it as a pure invention?—Certainly.

3094. To your knowledge, there were no such thing handed from hand to hand by anyone on either side?—Nothing.

Mr. Robert Bussell, sworn; Examined by Mr. *Sleigh.*

Mr. *R. Bussell.*

3095. I believe you occupy the position of Bailiff to the Bridgwater County Court?—I do.

3096. I dare say you remember perfectly well the morning of the polling day of the last election?—I do.

3097. Do you remember that morning, about half-past nine or ten o'clock, being at the bar of the inn called the "Albion"?—I was at the "Albion Hotel" about half-past nine.

3098. While you were there did you happen to see a person of the name of Cooze and Mr. Boys at the door?—I saw Cooze come in first, and Boys, I believe, followed; they both came and stood at the bar door. I would not positively state that they both stood at the door at the same time, but some beer was called for, which, I believe was a quart.

3099. Just tell me, while we are about the "Albion," is there any communication to the back part of the premises, except through the passage?—There is only one entrance to the house.

3100. And through that entrance a passage to the back part of the premises?—Yes; to get to the back part of the premises.

3101. That is the only way by which persons could get from the front to the back?—It is.

3102. Tell me, while Boys and Cooze and yourself were standing at the bar of the "Albion," did you see anything of Cooze's daughter?—Yes, they were standing at the bar as I was standing in the bar.

3103. Did you see that Cooze's daughter had some beer?—I should think that Boys and Cooze may have been there talking, perhaps two or three minutes, when Cooze's daughter came.

3104. Did you see Boys and Cooze go behind the bar to the rear of the premises?—They could not go to the back of the premises, for the door was right in front of them; they stood against the back door.

3105. I do not want any reasons for it, but they did not go?—They did not.

3106. Now, at the bar, or in your presence, during that morning, did you see Boys hand anything whatever to Cooze?—No, I did not in my presence.

3107. While you were standing there, and they were in that position, were you in such a position that if anything had been handed by Boys to Cooze you must have seen the act?—I faced them as I do the gentlemen before me now.

3108. Now, did you lose sight of them while they were there until they left the door to go towards the market-place?—They left, and in coming up the passage, they passed by some stained glass, where I lost sight of them, until I went out to catch Mr. Boys, whom I wanted to speak to, and he said, "Come along, Bussell, with me; I have no time, not a second." I did not know they were about to move until they moved away.

3109. Did you accompany them, and did you all three go towards the market, and through the market to the polling-place?—He did.

3110. Did you see Cooze record his vote?—No, I did not hear him.

3111. Were you present when he went up to the booth?—I was, but I did not hear the vote recorded. I stood in the booth, but I did not hear for whom he voted.

3112. Some short time after the election, in consequence of hearing something in the town about Mr. Cooze, did you go to Cooze's house?—I did,

I did, in company with Mr. Henry Cooke, a brewer, of Bridgwater; Mr. John White, an auctioneer, of Bridgwater; Mr. Stroud, a druggist, of Bridgwater; Mr. Frederick Tremlett, a baker, of Bridgwater; and Mr. Frederick Harden, a baker, of Bridgwater.

3113. Upon going to Cooze's house, did you find him at home?—He was at home.

3114. You saw him in his parlour?—I did.

3115. Were these other persons, whose names you have mentioned, present at any conversation which took place between you and Cooze?—They were.

3116. Now, be good enough to tell the Committee what it was that you said to Cooze, and what reply Cooze made to you?—I said, "Jack, what is the report I hear about this money, what does it mean"?

3117. Tell me what the report was that you had heard?—I then told him the report which I had heard circulated, that he had received 10 *l.*, and asked him whether such was the case.

3118. Did you tell him from whom you had heard that he had received 10 *l.*?—I did not. He said, "Yes, and that d——d Dyer made me drunk and took it away from me," alluding to Ambrose Dyer, his landlord. I said, "Who gave it to you, then, Jack?" He said, "That d——d cow doctor, on the Pig-Cross."

3119. Is the Pig-Cross a locality in Bridgwater?—It is.

3120. Who is this cow doctor?—He alluded to Mr. Edward Stroud, the druggist, who was present at the time in the room; he was one of the parties that accompanied us.

3121. By the *Committee.*] Was Cooze drunk or sober?—Sober; and it was early in the morning.

3122. Mr. *Sleigh.*] Now, what took place then upon his making use of that polite language towards Mr. Stroud?—His wife said, "I'll tell thee what it is, Jack; if thee wouldst go and swear it on thy oath, I wouldn't believe thee."

3123. By the *Committee.*] That is, if he were to swear that the money was given by Stroud?—That he had received the money.

3124. That he had received the money at all, or that he had received it from Stroud?—From Stroud, I understood him to allude to.

3125. Mr. *Sleigh.*] What did Stroud say about it?—We had a fine laugh at him, and the woman made use of some very foul expressions, some very smutty language, but jocularly, and she kept us laughing at her, although they were very filthy expressions; Mr. Stroud never said anything, neither good, bad, nor indifferent.

3126. Was anything said by any of you in reference to Mr. Boys, touching this transaction?—There was not.

3127. Did you say anything about Boys; whether Boys had been the person who had given it?—I never heard Boys was charged with it until since I have been in London; I always heard Stroud was the man whom he had charged with it.

3128. Now, you know John Staples?—I do.

3129. How soon after the election did you see John Staples?—A few days.

3130. Did you meet him on the quay?—I did.

3131. Did you say anything to him about the events of the previous few days?—I did.

3132. What did you say to him?—I said "Jack, I hear that the 10*l.* you got given you for your vote at the election, you allowed John Gough to take away from you," and he said, "Yes, he did take it," with an oath.

3133. By the *Committee.*] Gough and Wilton?—Wilton was present at the time, and he said Gough took it from him; Gough, Wilton, and Lovibond; and he said, "I have been to get a warrant against them to have them took up, but they would not grant it to me."

3134. Let us have the whole of that conversation with this gentleman?—Different things went on, and I said, "How came you to let him have it;" he said, "Let him have it; I never had no money given me; I received the freight of a cargo of coal from Mr. Stone's clerk; I took the cheque to the bank, got it cashed, and then they sons of bitches made me drunk and took the money from me, and said it was election money."

3135. Mr. *Sleigh.*] Mr. Stone is a large coal merchant at Taunton, we understand?—Yes.

3136. Now, go on, if you please, and tell us what passed?—That was the conversation that occurred with Captain Staples.

3137. What further, if anything, did he say about the matter?—He said, with reference to the marking of the money, that John Gough had marked the money, and sealed it up, and given it to George Wilton and Mr. Lovibond, and if he could have a warrant he would have them all took up.

3138. Did he tell you where this occurrence took place?—At the "Compass Inn," his own house.

3139. Did he tell you upon what day?—It was taken the evening of the election, and it must have been the day after the election that I saw him, because he was just come from the magistrate's clerk's office down to the quay when I met with him.

3140. Did you see him subsequently and have any conversation subsequently with him on that same matter?—Yes.

3141. How soon after?—Several days.

3142. What took place, then, about the matter?—It was tantamount to the same conversation repeated again; he wanted to know if he could sue for it in the county court, and I told him no, certainly not; he would cut a pretty figure.

3143. Now, upon the morning of the election, were you upon the bridge?—I was.

3144. Did you, upon that morning, see anything of Mr. Veysey?—I did.

3145. Did you see anything of a person of the name of Frederick Jones?—Yes; he is captain of a vessel that my father has got a share in, the "William the Fourth."

3146. Did you go up to Jones and speak to him?—Yes; I did not know the vessel was in port.

3147. And seeing him there, was not expected by you?—I said, "Holloa, Fred, where is the ship," alluding to the "William the Fourth."

3148. What did Fred say to you?—He said "All right," and moved me aside.

3149. What took place between you?—He then said to me, "I am trying Veysey on;" I said, "What do you mean by trying Veysey on;" he said, "Oh, your brother Harry will give me and Captain Jennings 30 *l.*, whichever of us can get a promise from Veysey," and I said "You and my brother Harry must be two d——d rogues if you get a young man like that into trouble."

3150. Your brother's politics are not the same as your own?—They are not.

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3151. He is a Liberal?—Yes. I said, "You leave the young chap alone; he is a young beginner in life, and a professional gentleman, and you will get him into a rare mess, and you and my brother ought to be ashamed of yourselves."

3152. Did you give him any advice?—I advised Jones to leave the young gentleman alone, and not interfere with him at all, and he left.

3153. That is all you saw of him?—Yes.

Cross-examined by Mr. *Powell.*

3154. Did I understand you to say that you were the high bailiff of the county court?—The sub-bailiff.

3155. You are one of the process servers of the Court?—The same.

3156. Are you also a relative of Mr. Tremlett, the landlord of the "Bull and Butcher"?—Yes, son-in-law.

3157. Was that the Mr. Tremlett who went with you to Cooze's?—No, a son; my brother-in-law.

3158. Was Mr. Frederick Stroud, the gentleman we have heard of, the chemist?—Yes.

3159. And Mr. Frederick Harden, also the person we have heard of in the case?—Yes, the baker.

3160. This Mr. Staples did say to you, that he wanted to see them in the county court?—Yes.

3161. You know perfectly well that as to his getting it for your party that was altogether false?—I did not know any such thing; it is without my knowledge whether he did or did not. I did not come here to swear that he did, and I will not swear that he did.

3162. Did it occur to you that an inquiry in the county court might tend to find out where it did come from?—I considered that the man had no claim to seek to recover it.

3163. Why not?—He stated at that time that it was money that they made a claim to, and he said, "Although it is my freight money, they say it is bribe money;" and I said, "If they can prove that it is bribe money you cannot recover."

3164. You thought it was bribe money?—I did not know; I instructed him on the information he gave me.

3165. He had told you it was freight money?—Yes.

3166. Why did you not instruct him to seek to recover back his freight money in the county court?—For the very reason that he told me, that John Gough and Wilton would come forward and swear it was bribe money, that they had marked it, and I advised him not to take it into court, but to go and see Mr. Wilton, who was a merchant of the town, and he would hand him back his money, bribe money or not.

3167. But he could have given evidence in the county court, and sworn that it was not bribery money?—Certainly.

3168. And I suppose you were aware that he could have called Mr. Stone to have proved that he had paid the money?—Paid him a cheque, but I was not aware of it at the time.

3169. You are quite clear, however, that he said that he had got the money for freight from Mr. Jones?—I am certain; I swear it positively.

3170. And also that he said it was a cheque?—He did, and he said he took it to the bank.

3171. He no doubt told you which bank it was?—To the best of my recollection he told me it was Mr. John Ford's. The banks there are the West of England, Stuckey's, and Mr. Lovell Leeley's; but in most cases parties speaking in the town would say up to Mr. John Ford's, or Mr. Simmons, and I believe he said he cashed the cheque at John Ford's bank.

3172. That being the common name by which that bank is known?—Yes.

3173. Just consider for a moment and tell me whether you do not recollect that he did say he cashed the cheque at Ford's bank?—I believe he did.

3174. You have very little doubt about it?—I do not think there is the slightest doubt.

3175. At any rate, you will swear that he told you that he did cash the cheque at some bank in Bridgwater?—Yes.

3176. And that it was Mr. Stone's cheque?—It was a cheque paid through Mr. Stone's clerk for Mr. Stone's freight.

3177. Now, being a son-in-law of the landlord of the "Bull and Butcher," I suppose you are sometimes there?—I am.

3178. I do not know whether you live there?—No.

3179. Were you there during the time the canvass and the poll was going on?—I do not think there was an evening but that a portion of that evening was spent at my father-in-law's.

3180. Was that house open the night of the nomination?—I cannot answer that question.

3181. Surely, you were there that night; I hope that was not an exception?—That was one of the exceptions, but I can account for where I was.

3182. I do not wish at all to be intrusive, but was it not rather odd that the night of the nomination should be the only night you lost your pleasure at the "Bull and Butcher"?—Well, I did lose it; I thought proper to stay upon the bridge the whole of the night.

3183. Looking at the moon?—Not looking at the moon, but at York House.

3184. What was York House which attracted you?—The residence of Mr. John Smith.

3185. Who may that gentleman be?—He is a Liberal gentleman.

3186. Then you were on the watch?—Certainly I was; I do not deny it; I am not come here to tell lies.

3187. You left your comfortable corner in the "Bull and Butcher" to watch Mr. John Smith's house from the cold bridge?—I did.

3188. Then I may take it that you took a very active interest in the politics of Bridgwater?—I do not know about activeness.

3189. Were you paid for doing it?—I was not.

3190. Then you must have taken an interest?—I believe I have a right to uphold my own principles, and do what I believe to be right.

3191. As to your right, there is no doubt; you might have stood on your head on the bridge all that night if you liked?—I did not do that.

3192. You were not paid?—No.

3193. Now, do you know William Dyment, a gardener?—I know half a dozen William Dyments.

3194. I mean William Dyment, a gardener?—I do.

3195. Were you at the "Bull and Butcher" on the day of the poll?—I was in and out.

3196. Did you see William Dyment there?—Not to my knowledge.

3197. Will you swear you did not see him there

there?—I will swear to the best of my belief that I did.

3198. Will you swear you did not speak to him?—I will swear that I did not do such a thing as that.

3199. Either in the "Bull and Butcher" or anywhere else that morning?—I do not believe that I saw the man anywhere during the day.

3200. You know him very well?—I do not know which William Dyment you mean.

3201. If you do not know which William Dyment, your answer goes for nothing. You have been swearing positively about a man you now say you do not know. I ask you, do you know William Dyment, a gardener, of North Gate?—I do.

3202. Now, did you see that man on the day of the poll?—I did not, to my knowledge.

3203. Did you speak to him on the day of the poll?—I will swear positively that I did not speak to him.

3204. Did you see him on the day of the nomination?—I may have seen him, but not to speak to him.

3205. Do you know James Rogers?—Yes.

3206. Who is he?—A tailor.

3207. Did you ever canvass him?—I did in 1859.

3208. You do sometimes canvass, then?—I asked him in '59 if he would support Mr. Westropp.

3209. Did you canvass in '59?—I only asked Mr. Rogers, I think.

3210. Anybody else?—One other, I think.

3211. Who may he be?—John Sanders.

3212. I presume you know Mr. Edward Stroud very well?—I do.

3213. Did you and Mr. Edward Stroud go to Mr. James Rogers' house on the morning of the poll?—No, on my oath, I did not.

3214. You did not go near his house?—I never went near his house.

3215. Did you and Mr. Edward Stroud, on the morning of the poll, go anywhere together?—We may have passed each other in the street, and laughed, and chaffed, and said our man would win, and so on.

3216. Perhaps you recollect that you did?—That we were laughing.

3217. You and Edward Stroud?—Yes.

3218. Early in the morning?—Yes.

3219. At what time?—From 10 to 11 in the morning.

3220. Did that happen to be anywhere near Rogers' house?—It was not.

3221. Did you go to his house that day at all?—I did not.

3222. Neither alone nor with Mr. Stroud?—I did not; he lived in the Cheltenham-road, and I know I was not there.

3223. That you swear?—Yes, nor within half a mile of his house.

3224. Do you know John Crocker?—I do.

3225. Is he an innkeeper, residing at Bridgwater?—He is.

3226. Do you remember before the election calling at his house?—I do.

3227. What time was it?—It may be a week.

3228. Or less?—No, more; I might say a fortnight.

3229. Do you remember the time of the day it was when you went?—In the morning.

3230. What time?—I cannot say.

3231. Was he at dinner?—No.

3232. Did you go to his house, and say you wanted to speak to him?—I did.

3233. What did you want to speak to him about?—I asked him if he would let his club-room as a committee-room.

3234. Who for?—For no one; I had not the slightest object in doing it, but there were several Liberal captains present at the time, and it was done for chaff.

3235. It was done for chaff?—Yes; I swear solemnly it was.

3236. But you did go to Mr. Crocker, the innkeeper, and ask him if he had a club-room he could let you?—I knew he had a room.

3237. And you asked him to let you have it for a committee-room?—I named no name, but he knew I was a supporter of Mr. Westropp.

3238. Had you anybody in your mind that you wanted it for?—I did it out of bounce, for these gentlemen who were in the room smoking, to hear.

3239. Did you have in your mind the name of any person for whom you wanted a committee-room?—I did not want a committee-room.

3240. But you went and asked him for one?—Yes.

3241. Did you say to him, "We will give you 10*l.* for it"?—I did.

3242. I suppose that was bounce, too?—Exactly.

3243. Did he say, "No, you shall not have it"?—No.

3244. What did he say?—He said, "Will you look in after dinner?"

3245. Did you look in after dinner?—No.

3246. Did you not see him again?—I have seen him repeatedly.

3247. Do you mean to say you never spoke to him again about the committee-room?—I was going to say that before I had been out of the house 10 minutes there was a great orange colour flying out of the window, so that we could not have put a blue one out very well.

3248. He is an elector?—He is.

3249. And you offered him 10*l.* for his committee-room?—Without the slightest motive or intention whatever.

3250. Pray do not think that I suggest a motive; I ask you, did he not say, "No, I will not have it"?—No, he did not.

3251. Did you say, "You must be a fool not to take it"?—No, I did not.

3252. Nothing of the sort?—I may have laughed and carried on before the captains, his customers, who were Liberals.

3253. Did you not say to him, "You must be a fool not to take it"?—I will swear, to the best of my belief, that I did not. I have not the slightest recollection of saying it, but we were all there one chaffing the other, the captains and the whole of us, both Crocker and his wife, and the whole of us was one chaffing the other and bouncing, as we call it. Sometimes they would come and say, "Here, we have got one of they chaps, and we will give 50*l.*"; and another would say, "I will give you 70*l.* rather than you should have him."

3254. Then it is customary at Bridgwater to say that?—As chaff only.

3255. Is the chaff only on one side at Bridgwater?—No, the chaff is on both sides.

3256. You did offer him 10*l.*?—But in chaff.

3257. Did he tell you he had made up his mind to vote for Kinglake and Shelley?—Nothing

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of the sort; Kinglake's and Shelley's names were not mentioned, nor Westropp's name either.

3258. Then he told you to come after dinner?—Yes.

3259. And then, I suppose, by way of chaff, as soon as you had left the door, out came the orange flag?—Yes.

3260. He would not take the 10 *l.*?—Yes.

Re-examined by Mr. *Sleigh.*

3261. You had a night upon the bridge watching Mr. John Smith's?—Yes.

3262. Tell us what you saw going on there?—I saw several electors going in and out, and we had a jolly good spree; we had a sugar cask, about two hundred of us, and we christened it Sir John Shelley's sugar, and we drove it from one door to another, till at last it was locked up.

3263. What is the meaning of sugar in Bridgwater?—Money.

3264. By the *Committee.*] Did you understand from Staples that he had got two sums of 10 *l.*, one from Stone, and that he might have got 10 *l.* besides?—I did not; he did not make any statement.

3265. There was no conversation took place in regard to it?—No, no more than this, that he said these two gentlemen had taken away the money which he had obtained for his freight, and said it was bribe money.

3266. That was all the reference to bribery?—That was all.

3267. Was there time for Cooze to have received anything from Boys when they were out of your sight, by the stained glass?—I will explain myself. As I am standing here, they had to pass two panes of stained glass, and there I lost them, but I came immediately across, as I wanted to speak to Boys, but they did not go any distance.

3268. Might a cartridge have been transferred from one to the other during that short time?—That I will not swear.

[Adjourned till To-morrow, at Eleven o'clock.

Friday, 20*th April* 1866.

WILLIAM EDWARD BAXTER, Esq., in the Chair.

Mr. Edward Stroud, sworn; Examined by Mr. *Longfield.*

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3269. You reside in Bridgwater?—I did.

3270. Did you reside there at the time of the election of 1865?—Yes.

3271. You were an elector of the borough?—I was.

3272. Whom did you vote for, and whom did you support at that election?—Mr. Westropp.

3273. Do you remember the morning of the poll?—I do.

3274. Do you remember on that morning going through the Cornhill?—I was there.

3275. About what hour?—I should imagine about 10 o'clock.

3276. Did you meet any person there?—Yes, lots of people.

3277. Did you meet a Mr. Charles Cook?—Yes.

3278. Was anybody with him?—Yes, a party whose name I afterwards learnt was Staples.

3279. At that time did you know his name?—No, I did not; I had never seen him before that I am aware of.

3280. Have you seen him since?—Yes.

3281. Have you seen him in town lately?—No, I have not.

3282. You know the man Staples?—I know him very well.

3283. Have you seen him since that?—I saw him about a fortnight ago, the last time.

3284. What is he?—A mariner.

3285. Did any conversation take place between Cook and Staples and you?—Not between Staples and me. Mr. Cook said, "Here is a man that will vote for us," or words to that effect.

3286. What was your reply?—I said, "That is all right; then he had better go and vote."

3287. Did you separate then?—They went on, and I followed them.

3288. At a little distance?—Close behind; I did not have any conversation with Staples at all.

3289. Did you accompany them to the polling booth?—I did.

3290. Did you see Staples poll?—I did.

3291. And I suppose, seeing him poll, you knew his name was Staples?—Yes.

3292. Did you tell Staples on that occasion to follow you?—I did not; I never spoke to Staples at all.

3293. Did you ask him to follow you into Fore-street?—No, I never spoke to him at all.

3294. Did you ask him to follow you into Fore-street?—I did not.

3295. Did you go into Fore-street?—Fore-street is below the Cornhill; I met him on the Cornhill.

3296. Did you ask him to follow you into Fore-street?—I did not speak a word to him at all, good, bad, or indifferent.

3297. Did you go into Fore-street with him?—I did not.

3298. Did you go into Fore-street, and did he follow you?—I did not.

3299. Did you go with him then into a water-closet in the market?—I did not.

3300. Was anything said before voting?—Not a word; I never mentioned a word to him about voting.

3301. Did he say to you that he would vote for Westropp if there was any chance?—He did not.

3302. Did you take out by a water-closet a piece of paper with something in it, and say, "That is ten"?—I did not.

3303. Did you then, or at any time, give that man a piece of paper with money in it, or money without paper?—I did not.

3304. Then I will read you this evidence, and ask you, on your oath, is it true: "What did he say to you?—He asked me to follow him in Fore-street, and I followed him up until we came to the water-closet in the market;" is that true or false?—We went by the water-closet.

3305. Did you stop there?—We did not.

3306. Who was with you there?—Well, Cook was a step or two before me; they were talking, but I did not enter into any conversation with him at all.

3307. Did he say he would vote for Westropp if there was any chance?—He did not in my hearing.

3308. Did you stop there a bit?—I did not stop.

3309. Did he?—He did not.

3310. "After I had stopped there a bit by the water-closet, he took out a piece of paper, with something in it, and he said, 'That is ten.'" Is that true or false?—That is false; the greatest lie that ever was spoken.

3311. "What did you do then; did you vote or go with him?—I went into the 'Clarence Hotel.'" Did he go with you to the "Clarence Hotel"?—He did not; I asked him to go, but he did not go.

3312. Is it true or false then that he went into the "Clarence Hotel"?—I did not go with him; I asked him to go after he had voted.

3313. Will you tell the Committee, upon your solemn oath, whether you gave that man Staples any money or consideration whatsoever for voting, then or at any other time?—I do not; so help me God.

3314. Is the whole of his story with regard to your bribing him, true or false?—It is false; I never spoke to the man prior to the election.

3315. Do you know a man of the name of Poles?

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Poles —No, I do not; I could not recognise him again.

3316. Do you remember on the morning of the election meeting Mr. Harwood?—Yes; I remember that.

3317. Do you remember his saying anything?—He said he was going in West-street for a man called Poles; and I said I did not know there was a voter there of that name.

3318. Did you say anything?—I did not.

3319. Did you go with him?—I went with Harwood.

3320. Did you speak at all about Poles then?—No; I did not enter into any conversation at all. Harwood asked him who he was going to vote for, or something of the kind. I won't say that I did not say, "Will you vote for us?" or something of the kind.

3321. Did he say, in your presence, "I wanted a friend"?—I did not hear the conversation; I did not take any part in it; I only went up in company with Harwood. I never saw the man before, or since that I know of.

3322. You did not promise him money?—I did not; I had no money to promise whatever.

3323. Do you remember, shortly after the election, hearing a report about a man of the name of Cooze?—Yes; I heard that he had been bribed, or they said he had been bribed—the Radicals.

3324. Was that some time after the election?—I heard of it a few days afterwards.

3325. Do you remember going to the man Cooze in company with any persons connected with this alleged bribery?—I went there with Robert Bussell and Mr. White, the auctioneer; five or six of us went, and Frederick Tremdett, the baker, and Henry Cook, the baker, was there.

3326. Do you remember Bussell saying anything about that report?—Bussell said, "What about this money, Cooze?" or something of that kind; and he said, "It is a cow-doctoring b——r gave it to me, down at the Pig Cross."

3327. Who is that?—I suppose he was alluding to me; there is no other person there; I was a chemist and druggist at that time.

3328. Did you say anything to him?—No, I made no reply; for of course it was no use arguing with a man like that; and his wife replied, and said, "Get away, you b——y old fool, nobody will believe thee on thy oath;" and he said, "Go to hell, you b——y bitch."

3329. Polite language?—Yes; and upon that she said something else; I do not know whether I ought to tell you or not; I am afraid it would make you all blush.

3330. Is it true or false, that he alleged then that the b——y cow-doctor gave him money?—It is a lie.

3331. And the wife said it was a lie?—The wife said nobody would not believe him on his oath, and she would go and prove he was mad.

3332. Then you left after some conversation?—We stayed there an hour, laughing, and she was going on with this lingo.

3333. Do you know the "Duke of Wellington Inn," at Bridgwater?—I do.

3334. Were you at that inn a few days after the election?—I was there every day, five or six times a day; it was two doors from me.

3335. Did you see a man of the name of Webber there?—Yes; I used to see him there most days.

3336. Do you remember him there?—I remember him every day.

3337. Do you remember him being present when a man of the name of Haslin was there?—Yes; they used to be always together.

3338. Did you talk about the election on that occasion?—We used to talk about it every day.

3339. Did you produce a book of the money you had spent day after day before them?—No.

3340. What did take place then?—Well, I think Webber was saying, "I suppose you will make a good haul out of the election;" and I said, "It appears to me the only haul I shall make, is running about spending money out of my own pocket."

3341. Did you produce a book?—I did not produce a book. I always had a bundle of books in my hand. I was tax-collector too, and I had always two or three of the tax-books in my hand.

3342. Did you produce a book in which you said you had put down everything you had spent in treating the people at the election?—No; I said, I think I had better keep an account of what I do spend during the election.

3343. Had you a book there in which there were notes of what you had spent during the election?—There was not; I had not kept any account of it at all. I did not spend more during the election than at any other time. When I saw a friend I used to ask him to have a glass of ale, but no more than I do at any other time.

3344. I presume it is your hobby?—Yes; Bridgwater is a very convivial place.

3345. You have treated persons before and since the election?—Yes; and treated Webber of times.

3346. Did you get any money from Mr. Westropp or his agent to treat people during the election?—I did not; I never had a penny, or the promise of a penny, or any promise of the kind from any man in Bridgwater, or anywhere else.

Cross-examined by Mr. *Hannen.*

3347. I understood you to say that you now keep a beer-shop?—I do not; I keep a licensed house.

3348. What is the name of it?—"The Pier Steam Packet Commercial Hotel," Burnham, Somerset.

3349. At the time of the election you were a chemist and druggist?—I was.

3350. Now, let us deal with this last case first. You saw Webber; where was it that you say you saw him?—I saw him at the "Duke of Wellington." I used to see him every day; two or three times a day sometimes.

3351. You had a book?—I always had books.

3352. But you did not always carry a book about with you?—Well, I used invariably to do so, because I always had some place to call. There was always some one or other had not paid.

3353. Then, you had a book in your hand at that time?—I won't swear whether I had or had not.

3354. You were speaking about the cost of the election?—I was saying, in running about and one thing and another, I was spending more than I ought to, perhaps; but not in treating other people; I was treating myself.

3355. Then you were, in fact, spending money from time to time which you thought it necessary to put down in a book?—No, I was not.

3356. But

3356. But you had a book?—I had some books.

3357. And you said you were spending more money than you thought you ought to do?—Yes, and I always said, "I think it must have cost me pretty near half-a-crown yesterday;" that is, in running about, not on other people, but on my own account.

3358. And you told Mr. Webber that you should be money out of pocket?—Yes; and I told him the truth.

3359. Did you, in fact, put down your expenses in a book?—I did not at all.

3360. Have you got your book here?—No; I never heard anything about a book until this morning.

3361. You have heard about a book this morning?—I did hear about a book this morning. I was not aware that Webber did give any evidence at all until this morning. I was telegraphed for from Cardiff.

3362. Were you not served with a warrant requiring you to produce a book?—No; I came here voluntarily. I was at Cardiff racecourse when I saw the evidence in the paper, and I immediately left the course and came here.

3363. Were you not telegraphed for?—I was, but I did not get the telegraph until after I had seen the paper.

3364. But you were telegraphed for?—I was on Cardiff racecourse, and when I came back to the hotel at Cardiff the telegraph was waiting for me; but I had seen it in the paper prior to that.

3365. Now, with regard to Staples' case. In the first place, you were very active for Mr. Westropp?—I was as active as anybody, and should do it again if he was there.

3366. Which committee-room did you attend?—I did not attend any particularly; sometimes one and sometimes the other; most usually I went in St. Mary-street, for the simple reason that I knew the people at that end of the town, and not at the other.

3367. Was Staples one at that end of the town?—He was.

3368. Had you had any business with him before?—I had not, never in my life, and never saw the man that I know of, prior to the poll.

3369. Where were you when you first saw him?—As near as I can guess, I was going down towards Fore-street; but, as near as I can call it to my recollection, I met them in the centre of the Cornhill.

3370. Were you alone?—I was.

3371. Did you there meet the other persons?—I met the others coming up; Staples was nearly drunk, or looked so.

3372. Did you go on your way, or did you turn and go in the same direction as the others?—When he said he was going to poll, I turned round and followed him.

3373. Now, if you were going in the other direction, and found the voter with other persons, why did you turn round?—If you had been in Bridgwater that day you would have found me all over the town.

3374. What was your particular business, that, as you were going in the other direction, you then follow?—I had no particular business; perhaps I altered my mind, and was going to have a glass of ale.

3375. You followed them, but you did not go with them?—I did not go with them; I had no conversation with them.

3376. Who were they?—A man called Cook.

3377. Who were the others?—Nobody but Staples, that I know of; of course it was close to the poll, and there were lots of people there.

3378. How was it that you followed a man with whom you had no acquaintance, and followed a man with whom you had not exchanged a single word?—I had no occasion to do it; it was the mere impulse of the moment.

3379. Did you keep behind them all the way?—Yes.

3380. Were you watching them?—No. When I say watching them, I was not, more than I should you if you were just in front of me.

3381. I hope you would not turn round and follow me if you were to meet me?—I should look after you, perhaps; people require looking after, and if we had seen a stranger in the town it is probable we should have watched him.

3382. Were they strangers?—Staples was a stranger to me.

3383. Did you follow him because he was a stranger?—No, I did not follow him for any reason whatever.

3384. It was a mere impulse of the moment that you went and followed these people?—It was.

3385. There is a place there by the water-closet?—Yes; from where we met I should think that would be the nearest place to the poll. I never measured it, because there are two ways of getting to the poll from the northward.

3386. Is not Fore-street the main entrance to the polling booth?—Not to the northward; there were two side entrances.

3387. Must you not come up through Fore-street to go to the poll?—You may, if you choose.

3388. Is not that the direct and ordinary way?—Well, I went because I was going to the southward.

3389. That is the way you went?—To the southward I went.

3390. Is that, or is it not, the direct way?—That would not be the direct way from where I was, because I went from the "Clarence Hotel."

3391. Then you went round?—You are obliged to get round because it is an oval place.

3392. Is not this water-closet on the other side?—It is at the back of the market.

3393. And the polling booths are in front?—The polling booths are in front.

3394. Then, as a matter of fact, you followed these people round by the water-closet at the back of the place?—Yes, I did.

3395. You do not mean to say that you cannot go any other way?—Of course you may go any other way. I as often go that way, if I am going home, and my house is a good bit beyond the market. I as often go that way as the other, through what they call Danger's Oak.

3396. Now, take that in the rough (*producing a sketch*). There is the "Clarence Hotel." Is not the polling booth there?—That was the place of the polling booth.

3397. And is not the water-closet here?—Yes.

3398. Which was the way that these people came round?—I did not know at that time where Staples lived.

3399. Never mind where he lived; you met them, and turned round, and followed them?—I followed

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—I followed them, I did not take them, or lead them, or anything of the sort.

3400. You found yourself, much to your surprise, instead of being at the polling booth, by the water-closet?—Where do you suppose I met these people? I met them here; it is in the Cornhill; it is all joined together, Cornhill and Fore-street.

3401. Did you hear anything said by any of these people?—I did not.

3402. Did you see Henry Chapman Bussell there?—I did not.

3403. Did you see George Wilton there?—I did not; I saw them afterwards, after the man had been to the poll. When he was going from the polling booth to the "Clarence" with me, Bussell and Wilton came to him and took him away. I do not know what they did with him. I suppose that was the reason he did not go into the "Clarence" with me; I do not know.

3404. Did the man Staples stop at all?—I did not see him stop.

3405. Did you stop?—No.

3406. Was there no pause at all?—No pause at all whatever, by me or them, that I saw; I was not watching them.

3407. I thought you were?—I was not; I turned round merely from curiosity, to see the state of the poll.

3408. By the *Committee.*] Be careful. You have told us twice before that you were watching them, but not for any particular purpose?—Not for any particular purpose. I was looking at them; I was not watching them.

3409. Mr. *Hannen.*] What were you looking at them for?—I was walking behind them, and I could not get on without looking at them, if they were just in front of me.

3410. What object had you in following a man whom you had never spoken to before; walking with people with whom you had no acquaintance, and whom you say you followed round out of the direct road, past the water-closet. Will you tell the Committee what you did that for?—No reason whatever.

3411. I understand you to say that immediately after you saw Henry Chapman Bussell and George Wilton?—After the man had been to poll; I did not see them before; at least I do not know that I had seen Mr. Wilton; I saw Mr. Bussell about.

3412. Did you afterwards have any conversation with Bussell upon the subject?—No. He said, "Staples is here," and I said, "Oh! he has been to poll," or something of the sort.

3413. By the *Committee.*] You say you had no conversation, then you say you had a slight conversation?—If I said, "Oh, he has been to poll," I should not call that a conversation.

3414. Mr. *Longfield.*] By conversation, you understand a continued dialogue?—No, it was not a continued dialogue. He said, "Jack Staples is here," and I said, "Oh, he has been to poll," or words to that effect.

3415. Mr. *Hannen.*] Did you hear him speak to Staples before he went to the poll?—I did not.

3416. Do you remember afterwards any other persons coming up from the "Clarence," and inquiring what was up about Stroud?—I did not; I never heard of that.

3417. Did you not say, "It is Bussell here who wants to take a man to the poll who has polled already"?—I do not remember saying those words; I do not remember any conversation with Bussell.

3418. You say you do not remember. Will you swear that you did not say to anyone, "It is Bussell here who wants to take a man to the poll who has polled already"?—I will swear I do not recollect it.

3419. Was not that, or something of that kind, said with reference to Staples?—Not that I know of.

3420. Was any inquiry made by anybody whether Staples had gone to the poll?—No.

3421. Did not Bussell say then that some money had been given to Staples?—Not that I know of.

3422. Now, since the election, have you not had conversations with Bussell about the subject?—No, I do not know that I have had any particular conversation with him, more than town's-people would have with each other. If I had, I could not tell him but one tale, because I had no money, never saw any money, never heard there was any money, and never gave or promised a person money, so help me God.

3423. Have you had any conversation with Thomas Honeyball upon the subject of this?—Oh, yes.

3424. Was that in the presence of Joseph Bigwood?—Bigwood is present sometimes, and sometimes he is not.

3425. On the subject of this affair with Staples, have you had conversations with Honeyball about Staples in the presence of Joseph Bigwood?—I have had conversation with Bigwood about Staples, I suppose, 100 times since the election.

3426. And about this particular charge, of your having given a bribe?—They said, after the election, that I had bribed Staples; but you must draw my attention to some particular time. I cannot recollect a particular conversation for 12 months.

3427. I ask you whether you have not had a conversation with Honeyball and Bigwood, when Honeyball said, "Is it true what you hear about having given money to Staples"?—They said, "What are they saying about you, Stroud?" and I said, "They cannot say anything worse than I would do," or something of that kind.

3428. Did you say to Honeyball, in the presence of Bigwood, that you did give Staples money?—I recollect a conversation now, and they said, "What do you think they say about you?" I said, "I cannot tell." They said, "They say you have bribed Jack Staples," and I said, "That is all right enough." I was not going to argue with them. I said, in a jocular manner, "Oh, that is all right enough; they will have to prove it."

3429. Is that your way of dealing with the serious charge of having committed an offence?—I had committed no offence.

3430. Did not you understand that these men came for the express purpose of inquiring?—They did not; they came to my inn as ordinary visitors. I presume you mean about a month or five weeks ago.

3431. You say you remember a conversation?—Yes, I have had hundreds of conversations; I may have said "That is right enough." I may have said so hundreds of times since the election, but only in a jocular way; I never gave Staples any money.

3432. When you were charged with it, that is what you said?—I was not charged with it. All they

they said was, "What do they say about you Stroud."

Re-examined by Mr. *Longfield.*

3433. Did they charge you solemnly with having bribed a man, or was it jocular conversation?—Oh, jocular conversation. "What do you think they say about you, Stroud, at Bridgwater?"

3434. Were they acquaintances of yours?—Oh, yes, I had met them hundreds of times.

3435. By the *Committee.*] You do not live at Bridgwater now?—No; I live at Burnham, it is eight miles from Bridgwater, and they drove down there on a Sunday; I cannot tell the particular words I used, but I may have said, "Oh, that is right enough."

3436. Mr. *Longfield.*] Was it a solemn charge made by them?—Oh, certainly not. They said, "They say you have bribed Jack Staples," and I said, "He had better say so before the House of Commons."

3437. Did you admit that, or did they charge you?—They did not; only in the word I have said.

3438. Is that kind of chaff usual at Bridgwater, "You have bribed so-and-so"?—On each side; oh, yes, I was always good friends with all of them, although I am their political opponent.

3439. If you had books with you, were they your ordinary tax books which you carried on all occasions?—Ordinary books; I had generally two or three books, because I used to take orders for champagne ginger beer.

3440. Had you any book in which you put down your expenses for bribery and so on?—No; nothing of the kind, I may have said, "I think I had better keep an account of it," or something of the kind. "It cost me half a crown yesterday; I think I had better put it down."

3441. Did you ever convey to them that you were engaged during the election in bribery and treating, and kept an account?—I did not, so help me God.

3442. Did you convey, or attempt to convey, that to them?—I did not, and I never treated a man during the election, or since the election, more than at any other time.

3443. You met them in Fore-street?—I do not know whether you call it Fore-street or Cornhill.

3444. Do you know George Lane's?—Yes.

3445. Was it above or below that?—It was nearer the market house than George Lane's.

3446. Where the polling was?—Yes.

3447. If you were going to poll on one side of the town, near the polling-booths, was there not an enormous crowd in front of the principal entrance?—There were sometimes, for an hour or two in the morning, but the Radicals were missing in about an hour or two.

3448. Now is that a rude sketch (*producing one*), does it sufficiently represent it?—Yes, it was an oval place.

3449. And could you walk round it, supposing you were going to the north entrance?—No, I should not think you could.

3450. Unless it was crowded?—Yes, there was a lot of Eastover people; they polled in the centre place; there was a large crowd here.

3451. And to avoid that crowd; might it not be better to avoid that crowd?—Very nearly; I could not exactly say the distance.

3452. It would depend upon the distance; supposing this booth was crowded by your own supporters, could not you get round?—I should not think you could get round so quickly.

3453. Then it was in truth very near the polling-booth that you met them?—Yes.

3454. You had no particular business?—I had not; I never exchanged a word of conversation with Staples, nor gave him anything, I had nothing to give; I do not suppose I had 5*s.* in my pocket, for I never carry much money on me.

3455. Had you any particular business at the time?—No, I had no conversation with him, and did not know the man's name.

3456. Then your only object in turning back was just to see him poll, after he had been introduced to you?—I did.

3457. Could such a conversation as that with Bussell have occurred without your bearing it in memory; "Now here is a man going to the poll who has polled already?" if that took place, would you be likely to forget it?—I do not know; we were chaffing when we were passing; I say I recollect hearing him say, "Here is Staples here;" and I said, "All right, he has polled;" I did not know that there was any hubbub about me, or anything of the kind; I never heard of it until afterwards.

3458. By the *Committee.*] Why did you remain so long as an hour in the house of Cooze, whom you have described to the Committee as a low blackguard?—Yes, because we went up there just for fun, five or six of us; it is a beer-house, and we had perhaps a couple of quarts of beer.

3459. You had no particular object?—No particular business, because we took some paper in our hand; we said, "People will see five or six of us going in, they will think you are going to subpœna him to give evidence; we will do it for fun."

3460. Mr. *Longfield.*] Had you anything there?—No, we had not.

3461. You stood there for a time laughing?—Yes, there was only Mrs. Cooze, the wife, and daughter.

3462. By the *Committee.*] You had no particular object?—Yes, Mrs. Cooze was a customer of mine, she keeps a lodging-house.

3463. When did you leave Bridgwater?—On the 10th of February, in this year.

3464. Were you in business at the time you left Bridgwater?—Oh yes, I was in business for about eight years.

3465. As a chemist and druggist?—Yes, only I was rather fond of inns, and I thought I had better take one myself.

3466. That Bridgwater election, I suppose, cost you some money?—Not any particular money more than other times; it had been warm in the summer, and I might have had, perhaps, more ginger beer and brandy than at any other time.

3467. You do not expect to be refunded?—I do not, I never asked such a thing, and nothing has been ever handed to me.

3468. During your examination you made three statements about money; at one time you said that you were spending more than you ought during the election; at another time you said that you did not spend more than usual; and a third

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third time you said you had no money to spend; all those statements cannot be true; I should like to know which you intend to adhere to?—Of course I had to spend money every day, and do now; at least, I do not spend now, because I get what I want in my own house.

3469. You had money to spend?—Yes, I had money to spend.

3470. Then, when you said you had no money to spend you said what was not true?—I meant no money given me to treat people or anything of the kind; I was spending my own money, that is what I meant; of course a tradesman would have some money in his pocket usually.

3471. Mr. *Longfield.*] Had you and any of the party a glass of beer that day at Cooze's?—Oh yes, we may have had two or three quarts, but that was after the election; I do not know whether I did not have four quarts there; there were six of us, and we may have had; we were there an hour, I suppose, laughing and chattering.

Mr. James Harwood, sworn; Examined by Mr. *Longfield.*

Mr. *J. Harwood.*

3472. Do you reside at Bridgwater?—I do.

3473. Did you at the time of the election?—I did.

3474. What is your occupation?—A Timber Merchant.

3475. Do you remember that election of 1865?—Yes.

3476. Were you an elector at that time?—I was.

3477. For whom did you vote?—For Westropp.

3478. Did you ever, during that election, or at any time after it, give, or promise a voter anything for his vote?—I did not.

3479. Do you remember the night of the nomination day?—Yes.

3480. Had you asked any friends to take tea or coffee with you that night?—I had a few friends at my house.

3481. And gave them tea and coffee?—Yes.

3482. I presume that the nomination night was not the only night that you have had some friends to take tea or coffee with you?—No, not the only night.

3483. I am not talking of the time during which the election was going on, but throughout the year, you occasionally asked friends to take tea and coffee with you?—Oh yes, at times.

3484. You recollect that night particularly?—Yes.

3485. Do you recollect about eight or nine o'clock in the morning a man of the name of James Rogers coming to you?—I do.

3486. Do you know a man of the name of Frederick Jones?—I do.

3487. Did he come to your house the night, or the morning of the nomination?—I think he was at my house with Mr. Veysey on the morning of the polling day.

3488. I presume you gave them coffee?—I think they had some coffee.

3489. Had you any conversation with them about the election?—I think I asked Jones for whom he was going to vote, and I think his reply was that he would vote for the best, meaning that if he could get anything, that would be the party he would vote for.

3490. What reply did you make?—I do not recollect any answer particularly.

3491. Did you say "all right we can do as well as anyone"?—I might have said words to that effect; in fact I had forgotten that he had been to my place until I came to brush my memory up.

3492. Did you promise him anything then?—No, nothing.

3493. Did you ask him to call again the next morning?—Not to my recollection.

3494. Did you ask him to meet you the next morning?—I did not, to my recollection.

3495. Did you tell him to meet you at five o'clock and that it would be all right?—Oh no, it was impossible for me to make him right.

3496. Did you tell him to meet you at five o'clock, and it would be all right?—Oh no, not that I know of.

3497. Could you have told him that without your remembering it?—I should not have done so.

3498. Do you know a man of the name of Rogers?—I do.

3499. Did you meet him at any time and ask him for his vote?—I think he came to me.

3500. Look at this letter (*handing a letter to the Witness*); do you remember when that was written?—I do.

3501. When was it written?—I think a day or two after the election.

3502. It is not your writing, I believe?—It is not my writing.

3503. But you are responsible for it, it was written by Mrs. Harwood?—By my missis.

3504. Tell the Committee under what circumstances it was written, and to whom it was given?—The morning of the election this man came to me, and I advised him to vote for Mr. Westropp; he said that he stood in need of money, and could there be anything got? My reply to him was, that I could not tell whether he could get anything or not, but if he voted for Westropp he would not be worse off than any others that voted, or words to that effect, as near as I can explain; but that would be the meaning of it.

3505. Now tell the circumstances as to writing that note?—I think the next day, or the day following, this man came to me again, and he said, "I have voted for Westropp, and I have not been able to get anything; can you assist me"? He came a second and third time; I really did not know what to do with the man; I wanted to get to my business and have done with anything in the shape of electioneering. I did not want to be bothered with it, and I said to my missis: "Write a note to Mr. Lilley, and see if he can do anything for this man." I did it purely to get rid of the man and get him off my hands.

3506. Had you any authority from Mr. Lilley to promise him or anybody else?—No, I never had any authority from anyone. I had a vote at three elections for Bridgwater, and I never had the value of one shilling in my life, and was never authorised by anybody to do anything in the shape of money.

3507. Did you promise the man anything for his vote?—I did not.

3508. You gave that note to Rogers?—My missis gave it to Rogers.

3509. But you knew it was given to Rogers?—Yes.

3510. Did Mr. Lilley come to you afterwards in

in consequence of that note?—He did; he was very angry, and I was very sorry for it. I found that I had done a thing that I had no business to do, and I told Mr. Lilley I did it entirely to get the man off my hands, for he was harping upon me two or three times a day.

3511. Did Mr. Lilley repudiate that?—He did; he said I had done a thing that was wrong, that I had no business to have written to him at all.

3512. You voted for Mr. Westropp?—I always voted that side.

3513. You did not take very much interest in the matter?—Very little.

Cross-examined by Mr. *Powell.*

3514. When was it that Mr. Lilley was so very angry about this?—Perhaps a week or a fortnight after the election; I cannot tell to a day.

3515. It was at any rate about a week after the election?—I cannot tell to a day; it might be one day or two, or three for what I know.

3516. Did he come to you and say, "Harwood, how the deuce could you be such a fool as to write such a letter as that"?—It would have been words to that effect, that I had no business to have done such a thing.

3517. It was a week after the election?—I do not say a week after the election.

3518. It was after the election?—It was after the election, of course.

3519. By the *Committee.*] How long was it after?—I really cannot tell to a day. In the course of a day or two after this note was given, Mr. Lilley came to me and asked me what business I had to write such a letter? I told Mr. Lilley I was very sorry, but I did it to get rid of the man, as I was pestered with him from morning to night.

3520. You told him to vote for Westropp before you wrote this note?—I advised him to vote for Westropp, no doubt.

3521. Was the letter written to Lilley?—To Lilley.

3522. Mr. *Powell.*] I will read the letter:—"Mr. Lilley; Dear sir, I promised James Rogers to be made right; he belongs to the North Ward. Plumper for Westropp. James Harwood." You have told us you did promise him that he should be no worse off than any others?—I might have told him that if he would vote for Westropp, if there was anything going (that is the way I should say it to him) he would not be any worse off than the others.

3523. Then after the man had voted for Westropp he came to see you?—I do not know whether he had voted for Westropp or not, I am sure.

3524. What? you say in your letter "plumper for Westropp," and yet you do not know whether he voted for Westropp: look at the Committee and tell them if you mean to swear that you do not know that he voted for Westropp?—I am not come here to speak an untruth.

3525. Now did the man call on you after the election?—He did.

3526. Did he tell you he had voted for Westropp?—I suppose he did.

3527. Have you any doubt about it?—I have no doubt whatever that he told me he had voted for Westropp, but from memory I cannot say; I do not keep these things in my mind.

3528. Did he ask you for what you had promised him?—He told me that he had voted for Westropp, and could I do anything to assist him.

3529. Did he not ask you for the 10 *l.* that you had promised him?—I never promised him 10 *l.*

3530. That is not my question; I do not care whether he had any right to say anything of the sort, or not, but did he after the election come to you and ask you for the 10 *l.* which he said you had promised him?—Not to my knowledge.

3531. Will you swear he did not?—I will not swear whether he did or did not, I am not certain; but at any rate he came to me times and times, I think three times in one day.

3532. After the election he came?—After the election.

3533. How soon after the election?—It might be the next day, or the day following; I cannot tell.

3534. Then at last you dictated this letter to your wife?—I did it to get rid of the man.

3535. You dictated it to your wife?—I did.

3536. And gave it to him to take to Mr. Lilley?—My missis would give it to him.

3537. In your presence?—Yes.

3538. To take to Mr. Lilley?—Yes.

3539. Now you say that you gave some coffee; Are you in the habit of keeping your house open till one or two in the morning to give coffee to your friends?—Not every night, not as a rule.

3540. How long have you made it an exception to the rule to do it?—Not any time in particular that I know of.

3541. How long did you keep your house open for coffee?—How long did I keep my house open?

3542. Yes, be careful?—I think the greatest part of the night I had a few friends there, I had some Liberals and some Tories altogether.

3543. Nomination night?—The night before the election.

3544. Had you been giving any coffee the night before that?—No, I think not.

3545. Will you swear it?—I do not believe I did.

3546. Will you swear you did not?—No, I might have given coffee the night before; but what I did was entirely on my own account.

3547. Has anybody said anything to the contrary?—No, I do not think so.

3548. About how many persons did you give coffee to on the night of the nomination?—I think there might have been eight or ten, they were farmers chiefly.

3549. I suppose you would not swear that there were not 20 in the course of the night?—I would not swear it, but I believe there were about eight or ten.

3550. But you would not swear there were not 20?—I would not swear it because I might have been out during some part of the time, and they might have come in without my knowledge.

3551. Do you know a man of the name of Joseph Reeves?—Yes.

3552. Did you meet him at the "Three Crowns Inn," in St. Mary-street?—Not on that night.

3553. Did you on the Monday before?—Not to my knowledge; I do not believe that I ever met Reeves at the "Three Crowns."

3554. Perhaps you will swear you never did?—I would not; I was one night with Reeves, either at the "Three Crowns," or the "Rose and Crown," but it would be two years before that.

 3555. Your

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3555. Your memory is very bright about two years ago?—Yes, and I can explain why it is so bright.

3556. I ask you this question: Will you swear that a few days before the election, you did not meet Mr. Joseph Reeves at the "Three Crowns Inn"?—I did not to my knowledge; I do not believe that I met him there.

3557. Did you say to Joseph Reeves, at any time before the election, "I have got my list all right"?—Never.

3558. That you swear?—Certainly; I had no list at all.

3559. I did not ask you whether you had a list, and I do not care, but I ask whether you told Joseph Reeves that you had got a list all right?—I did not to my knowledge; I never had a list, and I never could have told the man such a thing; I had never anything to do with Reeves from first to last.

3560. Did you meet Reeves near your house soon after the election?—No, not that I know of; Reeves is a man that comes to our stables to look after the horses at times.

3561. Did you meet Reeves soon after the election near your house?—I believe not; I have no knowledge of meeting him.

3562. Did you meet him at the stables?—He is often at the stables, looking after our horses.

3563. Did you say to Reeves, "I had a pretty good company the night before the polling day;" or words to that effect?—Certainly not.

The Chairman here intimated that Mr. *Powell* need not pursue the examination as regards Reeves.

Re-examined by Mr. *Longfield.*

3564. That very night, were the eight or ten persons that you had, Liberals or Conservatives?—Some were Liberals; one in particular, Mr. John Smith, is a very busy man in electioneering, and who always voted for Mr. Kinglake; and there were several friends of mine, farmers from the country about.

3565. Whatever took place was in Mr. Smith's presence?—Yes; I should like to state, that during my lifetime I never had the value of a penny; if I spent anything it was entirely out of my pocket.

3566. If you said to this man, "it would be all right," it would have been heard by everyone in the room?—What I said would be heard by everybody.

3567. By the *Committee.*] You have given us a clear account of the conversation you had with Mr. Jones; was Mr. Veysey present?—Mr. Jones and Mr. Veysey came into our house, I believe, the morning of the election, and I am not positive, but I think they left together; but at any rate both of them were at my house.

3568. When you had this conversation with Mr. Jones, Mr. Veysey was present?—I believe he was.

3569. And heard it?—Yes.

3570. Mr. *Longfield.*] Are you quite certain whether Veysey was there at the time?—I think Veysey and Jones both came in together.

3571. Were there other people there at the time?—Yes, several other people.

3572. And whatever conversation took place would have been heard?—Yes; the conversation was open to all; there were one or two of the Liberal people in the house the greatest part of the time.

3573. Was the conversation an open one, which everybody would hear?—I believe it was.

3574. Which Veysey might or might not have heard, but which others might have heard?—Which others might have heard. John Smith is a busy man in electioneering matters on the Liberal side, and he could have heard everything that was going on.

3575. And Veysey might or might not have heard it?—He might or might not.

3576. Was there a secret conversation between you and Jones?—There was not; we had only one room, and we were all together the whole of the time.

3577. And you spoke loud?—Quite open.

3578. Above board, and nothing secret?—Quite so.

3579. They are not large rooms?—It is a room about 10 or 12 feet square; we were all there together, and we then went out on the bridge, and had a bit of fun with Mr. Smith's sugar cask. With regard to that note, I wish to explain, that I never was accustomed to anything in the shape of electioneering, and I did it entirely through ignorance more than anything else; it was to get rid of the man; I never knew that Mr. Lilley would be in a position to do the man any good. He was there three times in one morning bothering me to do something for him; I never had it in my power in my life to use any influence, or to promise anybody a single shilling.

[Adjourned to to-Morrow at 11 o'clock.

Saturday, 21st April 1866.

W. E. BAXTER, Esq., in the Chair.

Mr. John Hawkey Bingham Carslake, sworn; Examined by Mr. *Sleigh.*

Mr. *J. H. B. Carslake.* 21 April 1866.

3580. You are Town Clerk of the borough of Bridgwater?—I am.

3581. Do you produce certain documents in connection with the late election?—I do.

Mr. *Powell* stated that there was a preliminary objection, on the ground that the heading of the list of persons bribed and the parties bribing them was informal.

Without hearing Mr. *Sleigh*, the Committee decided that there was nothing in this objection.

3582. Mr. *Sleigh.*] Now Mr. Carslake, will you be good enough, in the first place, to produce Mr. Hooper's account?—Yes (*producing the account*).

Mr. *Powell* here stated that most of these accounts could be admitted, and the agents on both sides would go through them, and agree upon them.

Mr. *Sleigh* assented to that proposition.

3583. Mr. *Sleigh.*] There is one particular one which I should like you to produce, Phelp's account for 55 *l.*?—Yes. (*It was produced, and handed to the Committee.*)

3584. Is that memorandum at the foot of the abstract of the account, which sets forth that Mr. Phelps has been applied to, and declines to give particulars in Mr. Barron's handwriting?—It is.

3585. You are acquainted, of course, with the handwriting of Mr. Benjamin Lovibond?—I am.

3586. Will you look at this memorandum: "Bridgwater, 3 July, 1865. Mr. Wadden. Sir, —Please deliver to John Smith, of York Hosue all the colours belonging to Colonel Tynte, Lord Henley, and Mr. Kinglake,—B. Lovibond"—(*handing the letter to the Witness*)?—Yes, that is his handwriting, at least the signature is.

3587. Now be kind enough to look at that and tell me if that is in the handwriting of Mr. Henry Lovibond (*handing another letter to the Witness*)?—Yes.

3588. It is dated 28th June, 1865, and is directed to Mr. John Henry Wadden. "Dear Sir,—Mr. Charles Ford has informed me you have some flag poles, and will deliver them up to any person I may appoint to receive them; I shall be obliged by your delivering them to bearer"?—Yes.

3589. This Mr. Wadden is the person who had the flags in his custody since the previous election?—Yes.

Cross-examined by Mr. *Powell.*

3590. You produce these as the accounts which were rendered officially of the expenses of the election?—Yes.

3591. You know nothing of your own knowledge about this bill having been paid or not?—No, I do not.

3592. You do not know that it has been paid?—No, I do not at all.

3593. Do you know that it has been repudiated?—Of course I can have no actual knowledge; I can tell you my belief that it has not.

3594. But, as a fact, it is an account openly rendered to the official person amongst the accounts of the election?—Just so.

James Roberts, sworn; Examined by Mr. *Sleigh.*

J. Roberts.

3595. You reside in the borough of Bridgwater, and you are an elector of that borough?—I am.

3596. I believe your occupation is that of a fitter?—Yes.

3597. Now do you remember the nomination day?—I do.

3598. Did your brother make some communication to you, in reference to Mr. Wilton, that day?—He did.

3599. Had you formerly been in the employment of Mr. Wilton?—For 16 years, for Brown and Co.

3600. Had you left him, or were you still in this employment?—I had left him 18 months previous.

3601. By the *Committee.*] What is Mr. Wilton?—I believe one of the firm.

3602. What is he?—They are merchants.

3603. What sort of merchants?—Brick and tile merchants, and coal merchants.

3604. Mr. *Sleigh.*] I understand that Mr. Wilton is one of the partners of Brown and Co.?—Yes.

3605. In consequence of that communication did you go up towards the Cornhill, and met Mr. Wilton on that day?—I did.

3606. On meeting Mr. Wilton, what occurred?—Just the compliments of the morning passed, and he asked me who I was going to vote for; I told him I had not made up my mind, but did not like idea of leaving the old party. He said, "Do not leave the old party; vote for them; I have been speaking to your brother about you. You know that I am awkwardly situated at present, but I will look round this afternoon, and see what arrangement I can make; in the meantime go home, rest satisfied there is work for you;" with that, I parted with him.

3607. What passed between you and him in reference to your voting the next day?—I never saw him the next day.

J Roberts.

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3608. But before you parted on that occasion?—I thanked him, and wished him good day.

3609. What did you tell him you should do in respect of voting?—I did vote the next day for Mr. Kinglake.

3610. I believe you had promised Mr. Westropp previously?—I had.

3611. Next day, did you record your vote for two candidates, or only a plumper?—Two.

3612. Which were the two?—Mr. Kinglake and Sir John Shelley.

3613. When afterwards did you say anything to Mr. Wilton, or hear anything from him?—I saw him repeatedly, but not to speak to him.

3614. That is what I mean; when did you have any conversation with him next after the election?—I am not positive, but I should say it must be six weeks or two months after.

3615. Upon that occasion, what did you say to him in reference to what had passed?—I asked him if anything had turned up as yet; if there was any chance of work.

3616. What did he say to that?—He told me he had no chance yet.

3617. Now, in the month of January, in the present year, did you write a note to Mr. Wilton?—I did.

3618. Did you keep a copy of that note?—Well, I think rather the note was a copy of what I had written.

3619. Just look at that, and refresh your memory from this paper?

Mr. *Powell* submitted that this document could not be given in evidence, on the ground that notice had only been given of it this morning, and so there was not time to send to Bridgwater for the original.

Mr. *Sleigh* was heard against the objection.

Mr. *Powell* stated that as Mr. Wilton had received a subpœna *duces tecum*.

3620. Mr. *Sleigh*.] Now, is this a correct copy of the letter which you wrote to him: "January 5, 1866. Dear Sir,—I have taken the liberty of writing to you. I beg to remind you of your promise at the last election, when I had an interview with you on the Cornhill; you asked how I was going to vote; I told you I had not made up my mind; but did not like to leave the old party; if I voted Blue I thought I should be able to obtain work. You said my brother had been speaking to you about me; that you was awkwardly situated then, but you would look round, and make arrangements for me. I have spoken to you twice since then, but up to the present nothing have offered itself. I cannot ask with boldness at the carriage-sheds, or the foundry, consequently I am done out of a job. Your humble servant, James Roberts. Mr. George Wilton"?—Yes.

3621. Now, in two or three days, did you receive this note?—I did.

3622. Is this in the handwriting of Mr. Wilton, the gentleman of whom we have been speaking?—Yes.

3623. Now, your letter was written on the 5th; did you receive it about the 8th?—I did.

3624. Is this the note: "Dear Sir,—If you will come to the office at three to-day, I will see if I can give you a job. Yours truly, G. Wilton. Perhaps you had better come up at about half-past five"?—Yes.

3625. Now, in consequence of that note, did you go to the office of Newton and Brown that evening?—I did.

3626. Did you see Mr. Wilton?—Yes.

3627. What passed between you then?—He began the conversation respecting some steam engines that he had to remove from one of the brickyards.

3628. I do not ask you to enter into particulars about steam engines; but did he say anything about going to work?—Yes, that was the conversation I was coming to. It was respecting some steam engines that they were going to remove from one brickyard to another, and I agreed to work for him that day fortnight. I went to work for him, and worked the week, or rather five days, from the Monday to the Friday night. Being their pay night, I found the wages was not sufficient, consequently I left.

3629. Did they give you the same place as you used to occupy?—They did not.

3630. Was it an inferior and different place?—No, not particularly; I did not find fault with the work so much as the wages.

3631. Now, upon the evening of the nomination day, did you go to the "Bath Bridge Hotel," at Bridgwater?—Yes.

3632. Is that the house kept by George Heal?—It is.

3633. The evening of the nomination?—Yes, the evening previous to the polling.

3634. Had you been invited by Mr. Heal to come there?—I had.

3635. Where were you when he invited you to come?—In front of my own shop-door. As I stood there, he asked me to come and spend an hour with him. He said a few friends would meet together, and if I would come down he should be glad.

3636. Did he say who the friends were?—He did not.

3637. Did he say anything as to whether it would cost you anything for what you had there, or anything of that kind?—No.

3638. Did you go?—I did.

3639. Whom did you find there?—I should say there was 12 or 14 there, or more.

3640. Some of them voters?—I believe the whole of them were voters, barring one.

3641. Can you tell me who that one was?—Sir John Shelley's servant.

3642. Do you know his name?—I do not; he was a stranger to me.

3643. At what time of the evening was this?—Well, I should think it must be about half-past eight or nine.

3644. How long did you stay there?—Until after 12.

3645. Now, what was going on during that time?—Well, there was what they may term a comfortable party. They were smoking, and drinking, and so on.

3646. I have no doubt it was extremely jolly; now, was Sir John Shelley's servant there during the whole of the time?—No, he came in after me.

3647. How long was he there, as well as you can remember?—I cannot say positively.

3648. But he was there for some time?—He was there for some time.

3649. What part did he take?—He helped himself to liquor, and what he thought proper.

3650. Did he ask you to take some drink?—I never

I never drink, not more than ginger beer; I had two or three bottles of ginger beer.

3651. Did he invite others?—Oh, yes; as they came in he made them welcome, as I term it; poured out the drink for them, or helped them to make their grog.

3652. You were there until 12 o'clock; did this drinking go on during the whole of that time?—Yes.

3653. Did you see them pay anything for it?—Not a farthing, I never saw pass.

3654. During the whole of the time?—No.

3655. Now, you knew pretty well all of the voters there, except one; just give me the names of some of them?—Joseph Stoodley went in with me; John Sutliffe; two Hodges, I really do not know their Christian names; Philip Gilbert; George Falkner; Mr. Jobson.

3656. Was Mr. Berry there?—Mr. Berry.

3657. He was a very enthusiastic gentleman, was he not?—Rather; and if my memory serves me right, Thomas Doddridge; I do not think he has a vote.

3658. Now, besides the active hospitality of Sir John Shelley's servant, did you see them helping themselves from the decanters and bottles?—Oh, yes.

3659. You say you did not see a farthing paid; and for your bottle of ginger beer you did not pay anything yourself?—I did not; I was never asked a question.

3660. What did Mr. Heal call this entertainment of drink?—I never heard it called by any peculiar name. A friendly meeting is the only thing I can put to it.

3661. Now tell me, what did he say about refreshment the next morning?—I never heard anything about refreshment.

3662. I mean as to whether the refreshment would be found there the next morning or not?—I do not remember.

3663. Now, tell me this: was there anything said by Heal, or by any of the persons there, about anything being there next morning?—Well, there was a report out various times during the evening, that the stuff would come, and so on.

3664. What is the stuff?—I do not know what they meant by it, unless it is money.

3665. Was it sugar?—I do not know whether it was sugar or tea.

3666. You do not suppose it was the brandy and water, or the ginger beer?—Oh, no.

3667. Now, were spirits drunk?—Oh, yes.

3668. Just while we are about it, tell me this, is it a licensed house?—It is.

3669. For spirits, I mean?—Yes.

3670. And the stuff was to be there at seven in the morning?—Yes.

3671. Did you go in the morning?—No, I did not.

3672. What was that you said about the stuff?—It would be there.

3673. When?—When I left, the report was it would be there at seven in the morning.

3674. You mentioned one of the persons, Doddridge; for whom does he work?—Brown & Co.

Cross-examined by Mr. *Powell.*

3675. I think you said you were formerly in the employment of Messrs. Brown?—Yes.

3676. And this gentleman, Mr. George Wilton, is a member of the firm?—He is.

3677. They are gentlemen in a large way of business, are they not?—Very large.

3678. Eminent men in the borough?—Quite so.

3679. Had you between the time of your leaving their employment, which, I think you said, was 18 months before the election, and the election, frequently applied to be taken back to work there?—No.

3680. Not at all?—Not personally.

3681. I do not care about personally, but had you in any way applied to be taken back?—Yes.

3682. Are you able to recollect whether you had yourself applied to Mr. Wilton in the interval?—Never.

3683. Had you ever written to him previous to the election about it?—No.

3684. You are quite sure about that?—Quite sure.

3685. Now, you have told my friend that the first time that you had any conversation with him afterwards was about six weeks or two months after the election?—Somewhere thereabouts; I am not positive to a week.

3686. I presume that in the interval you had seen him frequently in the streets?—Oh, yes.

3687. I presume that is a gentleman who may be seen almost every day in the streets?—Probably.

3688. If, as you say, he promised you at this time in Fore-street, how was it that you allowed six weeks or two months to elapse before you spoke to him?—I waited entirely for him.

3689. Then the fact is, that although you understood him to promise you work before the election, you waited six weeks or two months after the election before you spoke to him on the subject?—Yes.

3690. Is this note in your handwriting?—Yes.

3691. Did you apply to him at all again after that conversation you had with him six weeks or two months afterwards until you wrote this letter?—Once.

3692. When was that?—I should say about a month afterwards.

3693. About a month after the first time you spoke to him, you spoke to him again?—Yes.

3694. Then he did not give you any work?—No.

3695. Then you took no further step until you wrote this letter?—Oh, yes.

3696. What?—That was written after.

3697. Do not let us misunderstand each other; you say that six weeks or two months after the election was the first time you spoke to him?—Yes.

3698. Then the second time was a month after that?—Yes.

3699. This was the next thing?—Yes.

3700. Had you any conversation with anybody before you wrote that?—Not a word to anyone.

3701. Do you know a man of the name of Hook?—Yes.

3702. Had you any conversation with Hook about it?—Not as regards the letter; he knew nothing about it.

3703. Had you any conversation with Mr. Hook about Mr. Wilton's promise?—Yes.

3704. Who is Mr. Hook?—A grocer.

3705. Mr. *Longfield.*] What is his Christian name?—Charles Hook; he is a son-in-law of mine.

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3706. Mr. *Powell.*] I believe he is a great supporter of Mr. Westropp?—Yes.

3707. When did you have any conversation with Mr. Hook about Mr. Wilton?—Well, he knew it.

3708. When did he know it?—At the election.

3709. Did you tell him?—I told him.

3710. When did you tell him?—The nomination day. I saw him in the evening, and I told him that I was going back to work at my old shop.

3711. Did you tell him that Mr. Wilton had promised you?—Yes.

3712. Did you have any conversation with him afterwards about it?—Not particularly.

3713. But sometimes?—Sometimes.

3714. How long before you wrote this letter had you had a conversation about it?—Well, it was brought up, I may say, five or six times, or perhaps 20. I am not positive.

3715. My question is this; the letter is dated January 5th?—Yes.

3716. Had you any conversation on January 5th about the letter?—I did not see him.

3717. Had you on the 4th?—I do not know.

3718. The 3d?—I do not know.

3719. Had you any conversation with him on the 1st of January about it?—I do not remember.

3720. Had you any conversation with him at Christmas time about it?—I do not remember that I had.

3721. Will you swear you had not?—I will.

3722. Tell the Committee, as nearly as you can, how recently before January the 5th, you had a conversation with Mr. Hook about Mr. Wilton's promise?—I am positive it could not be during the Christmas, because I never saw him. It might have been a week or two previous to Christmas.

3723. Now, you swear that he did not know anything at all about this letter being written?—I do solemnly swear.

3724. Did anybody else know anything about the letter being written?—No one.

3725. Had you spoken to anyone about writing the letter?—To no soul.

3726. No one whatever?—Yes.

3727. That you will swear?—I will.

3728. About how many times between the date of the promise and the date of the writing the letter do you think you had a conversation with Mr. Wilton?—I do not remember but twice.

3729. I suppose on both those conversations you had repeated to him what the promise was?—I never named it.

3730. What did you say to him?—I merely asked him if there was any chance of a job yet.

3731. That was all you said to him?—Yes.

3732. You did not say, "Why, sir, how is it you do not fulfil your promise"?—No.

3733. I suppose, in consequence of having done that, you found it necessary to write out in detail all that had passed between you and he on the subject?—Yes.

3734. Because you might have thought it had slipped his memory?—Exactly.

3735. When will you swear that you got back that which you call the answer to it?—On the 8th; I wrote to him on the 5th of January, being Friday, and I received this the Monday following.

3736. Where is the other part of it; it did not come from a gentleman of such respectability in such a state as this; where is the other part of it?—I carried it in my coat pocket for a considerable time.

3737. Where is the envelope?—I cannot say.

3738. When did you see it last?—A month ago.

3739. When you knew the election petition was coming on?—Oh, decidedly.

3740. Where is the envelope that you saw a month ago?—I destroyed the envelope.

3741. My question distinctly was, when you last saw the envelope?—I beg your pardon; I thought you meant that an envelope was destroyed. I believe one——I cannot positively say.

3742. How did it come to you; by post?—No.

3743. How did it come?—It was sent by the lad.

3744. What lad; did you see the lad?—No, my daughter took it in.

3745. Did you see the lad?—No.

3746. I suppose it was not on a half sheet like this?—It was.

3747. And in an envelope?—Yes.

3748. Did you go in consequence of that letter?—Yes.

3749. Who did you see?—Mr. Wilton.

3750. Anybody else?—Mr. John Brown.

3751. Both together?—They were, when I entered the room.

3752. But were they together during the conversation?—Not the whole of it.

3753. How long was Mr. John Brown there?—I should say about five minutes.

3754. Did you say a word then about a promise having been made to you at the election?—No, I never broached it.

3755. Now, you told Mr. Hook on the nomination day about a promise; when did you tell the gentlemen who are representing Mr. Westropp, about it?—Well, I am not positive to the day.

3756. I do not care about the day, my friend; about when was it?—I should say about a month ago.

3757. That was the very first time?—That was the first time; it might have been more or less.

3758. But until about a month or six weeks ago, you never said anything about it to the gentlemen on the other side?—No.

3759. That, I suppose, was also after this election matter was talked about?—Oh, yes.

3760. Then, I suppose you made a statement about it?—I did.

3761. Now, I suppose, at Bridgwater, as at other places, the public-houses are pretty full at the time of the election?—Well, I suppose so.

3762. What room was this, where this friendly party was going on?—A room up-stairs.

3763. One of the rooms at the inn used for guests?—Yes.

3764. You say about a dozen gentlemen were there enjoying themselves?—Yes.

3765. About how long was Sir John Shelley's servant there?—I am not positive whether he left previous to me; I rather think he did. He came in after me, I know, but whether I left him there I cannot say.

3766. And how long he was there you cannot say?—No, I cannot say.

3767. You had promised Mr. Westropp before, had you?—Yes.

3768. When had you promised Mr. Westropp?—When he called upon me.

3769. When

3769. When did he call?—I am not positive to the day, but it was previous to the election, and it might have been a week previous.

3770. Now tell me, did you tell Mr. Wilton that you had promised Mr. Westropp?—No, I did not.

3771. Did you not tell him that you had not made up your mind?—Yes.

3772. You never said a word to him about having promised Mr. Westropp?—No.

3773. Did you have any conversation with your brother about this matter?—A short time previous to the election, I did.

3774. About a fortnight ago?—Yes, he called at my house.

3775. I suppose that is not an unusual thing between brothers?—No.

3776. Did you have any conversation about this letter, or this promise?—None whatever.

3777. I ask you whether you have not recently talked to your brother about this alleged promise, and whether you did not tell your brother that you did not vote at all, in consequence of any promise made by Mr. Wilton?—I never told him so in my life.

3778. Did you, in fact, have any conversation with him?—I had a conversation with him recently.

3779. When was that?—I believe it was this day week.

3780. That you had a conversation with him about it?—Yes.

3781. Did you not, on that occasion, tell your brother that you did not vote in consequence of any promise made by Mr. Wilton?—No, I never said so to him.

3782. Nor anything to that effect?—No.

3783. You are quite certain about that?—Quite certain.

Re-examined by Mr. *Longfield.*

3784. Did you in that conversation, as you detailed it first, say that you had told Mr. Wilton that you had promised to vote for Mr. Westropp?—No, I did not.

3785. Now, Mr. Wilton did not promise to get you work immediately?—No.

3786. He told you, on the contrary, that he was awkwardly situated just then?—He said he would look round that afternoon, and see what arrangement he could make.

3787. You gave him ample time, as you thought, to look about?—Yes.

3788. You did not like to press?—That was my idea.

3789. But, from time to time, as you thought it was slipping out of his memory, you jogged his memory?—Yes.

3790. Was that letter written in concert with any person whatsoever connected with Mr. Westropp or his party?—Not a soul but myself knew it; not even my own wife knew that I had written to him.

3791. Nobody whatever knew that?—No.

3792. It was altogether your own idea?—Yes.

3793. Are these memoranda on it in your handwriting, and where they made at the time, "Wrote 5th, answered on the 7th, entered employment, and left it"?—Yes.

3794. They were written cotemporaneously?—Yes.

3795. When you saw Mr. Wilton, you presumed that he recollected it all?—Yes.

3796. Was that the only reason you had for not telling him particularly "you promised it to me for my vote"; did you understand each other?—Yes, perfectly.

3797. He had promised you work for your vote?—Yes, and he did not fulfil it, and, in consequence, I wrote that letter.

3798. Did Mr. Westropp or your son-in-law, or any adherent of Mr. Westropp, tamper with you, and induce you to write that letter for the purpose of making it evidence in any proceeding?—Oh, no.

3799. Is it the fact that you voted in consequence of that promise?—It is the fact.

3800. Did you tell your brother that it had no inducement in altering your vote, or words to that effect; that it did not affect your vote; do you understand me?—I do not.

3801. Did you tell your brother that the promise was not made to you?—Yes.

3802. That it was not made?—That it was not made.

3803. Did you tell your brother that Mr. Wilton never made you any promise?—My brother was aware of that at the time, because he came to me and told me previous to my seeing Mr. Wilton.

3804. You voted for Mr. Westropp, and you never told your brother that you had altered your promise in consequence of that?—Yes.

3805. You were asked about that conversation; what was the conversation with your brother?—When he came to my house in the morning, and told me he had just parted with Mr. Wilton and Mr. George Hannett.

3806. This day week is that?—No; I beg your pardon, I thought you were speaking about the nomination day in the morning.

3807. Oh, no; tell us what happened then?—At the nomination day?

3808. Yes?—He called in and said he had just parted with Mr. Wilton and Mr. George Hannett.

3809. What passed in that conversation a week ago?—He came into my house with Mr. Manchip, the cabinet maker, and he asked me if I had been subpœnaed. I told him no, and that if I was subpœnaed, what was I going on. I told him he knew the circumstances as well as I myself did; that he Mr. Manchip wished to know the sense of it. Not at all baffled, I told him. When they had heard, they were satisfied, and left with the same.

3810. Are both these gentlemen supporters of Mr. Kinglake and Sir John Shelley?—They were.

3811. Did anything else pass then?—Nothing.

3812. Have you seen Mr. Wilton lately, since that?—Yes; several times.

3813. Had you any conversation with Mr. Wilton about those circumstances?—No.

Mr. *Powell.*] Would the Committee allow me to ask a question which I omitted to ask?

3814. Were you canvassed by Mr. Kinglake sometime previous to the election?—I was

3815. About how many days before the election?—I am not positive.

3816. Might it have been a week?—It may have been a week.

3817. Did you not, when Mr. Kinglake canvassed you, promise to vote for him?—Yes.

3818. And for Sir John Shelley?—No.

3819. You promised Mr. Kinglake?—I did.

3820. A week before the election, was it?—It may have been a week; I am not positive.

Mr. Charles Hayward, sworn; Examined by Mr. *Lovibond.*

Mr. *C. Hayward.*

21 April 1866.

3821. Where do you reside?—Bridgwater.

3822. What is your occupation?—Hairdresser and Perfumer.

3823. Are you an elector of the borough?—I am.

3824. Do you remember the election of 1865?—I do.

3825. Had you been canvassed at that election to vote?—Yes.

3826. Do you remember being canvassed by Mr. Westropp?—I do.

3827. Did you promise him then?—I did.

3828. Do you know Mr. Benjamin Lovibond?—Yes.

3829. Is he here?—I do not see him.

3830. Do you know him well?—Very well.

3831. He is a solicitor in Bridgwater?—He is.

3832. Do you remember a few days before your being canvassed for Mr. Westropp, that gentleman came to your shop to have his hair cut?—He did.

3833. Did you cut his hair then?—Yes.

3834. Did he call again a day or two after Mr. Westropp had canvassed you?—Yes.

3835. When he called were you engaged with another customer?—I had several customers at the time.

3836. Did he wait any time for you?—He did.

3837. You were at last disengaged, and he was shown up to you?—He was shown into my room.

3838. Into your hair-cutting room?—Yes.

3839. Did that occur to you as unusual, a customer coming back after such a short time?—Yes.

3840. Did he sit down, and did you go through the operation of hair-cutting again?—He sat down, and I put on the cloth as usual, and began to cut his hair.

3841. Did it seem to you to want cutting much?—No.

3842. Then did the important business, the conversation then commence?—He said, "I do not want my hair cut, but I want to speak to you."

3843. By the *Committee.*] Had you put on the cloth, and begun to cut his hair?—Yes.

3844. Mr. *Longfield.*] Did he speak to you then?—Yes.

3845. What did he say?—He said, "You will be with us as usual."

3846. Now detail the conversation?—I told him I had promised Mr. Westropp I should give him my vote; and he said, "If you carry him, it will cost you 25 *l.* a man, and if you will come and work with us, I will make it worth you 50 *l.*;" I told him I had promised Mr. Westropp, and I should not.

3847. Did he say anything about his being able to give you the cash, or anything of that kind?—He said, "I should not give you the money myself, but some one shall see you."

3848. Did you say anything then about your being determined to adhere to your promise you gave to Mr. Westropp?—I told him I had already promised Mr. Westropp.

3849. And that you would keep your promise, I suppose?—I did.

3850. Did anything take place; did you continue the hair-cutting, or take off the cloth, and let him go?—I trimmed his hair all round to make it even, as I had begun it.

3851. And he left you?—He left me.

3852. Do you remember the day before the nomination day?—Yes.

3853. Did you receive a note from Mr. Lovibond on that morning?—A note was brought to me direct from Mr. Lovibond.

3854. What have you done with that note?—I was very angry with Mr. Lovibond after reading it, and I burned it.

3855. Can you tell the Committee from memory the contents of it?—I believe it ran thus: "B. Lovibond will be pleased to see Mr. Hayward at his place immediately."

3856. By the *Committee.*] What day was this?—The nomination day.

3857. Mr. *Longfield.*] Was it the nomination day, or the day before you got that note?—I believe it was the nomination day.

3858. Did you go to the office?—I did not.

3859. Who handed you the note?—I was in the gentlemen's hair-cutting room, and I believe my daughter brought it to me; if not, it was the apprentice, but I will not swear which.

3860. You have a daughter?—A daughter that served in the shop.

3861. And had you any business with Mr. Lovibond, for which he could have written you that note?—Never in my life.

3862. Has he called upon you frequently since to get his hair cut?—He has never been since.

3863. You were an active supporter of Mr. Westropp, I believe, during the election; you gave him any influence you had, and you voted for him besides?—I beg pardon, I do not quite understand the question.

3864. Were you an active supporter of Mr. Westropp at the election?—I voted for Mr. Westropp and Mr. Kinglake.

Cross-examined by Mr. *Powell.*

3865. At this last election did you?—Yes.

3866. Who did you vote for in 1859?—I believe, I plumped for Colonel Tynte.

3867. Who did you vote for in 1857?—I know I voted for Colonel Tynte, but I would not positively say whether I did for anyone else or not.

3868. Have you voted at any other election?—I know I have voted two or three times, but I cannot remember for whom.

3869. I think the previous election was 1852; do you recollect who you voted for then?—I cannot say.

3870. That would probably be the first time you ever did vote, therefore you would recollect that?—It might have been for Tynte and Follett, but I would not say.

3871. Now, as I understand, when you received this note from Mr. Lovibond, you were very angry?—Yes.

3872. You knew he had been offering you a bribe?—Yes.

3873. And you thought that although you had resisted his bribe that he was only trying to bribe you again?—Yes.

3874. And that he had actually committed himself so far as to write a note to you about it?—Yes.

3875. Why

3875. Why did not you keep that note?—Because I did not think it worth keeping.

3876. That is the only answer you can give, is it?—It is the only answer I can give.

3877. Now we are quite clear about that; it was merely because you did not think it worth keeping?—I was very angry with him for writing to me.

3878. Now which was it, because you did not think it was worth keeping, or because you were very angry?—I felt very angry on reading the note, and I threw it in the fire at once.

3879. It was not because you did not think it worth keeping?—Oh, yes, I should not think it worth keeping.

3880. Was it because you were very angry?—I was very angry, and I burned it.

3881. Now, as I understand, the first time he called, you had several customers?—That was the second time.

3882. Let me understand, was there anybody there the first time he called?—I do not believe there was.

3883. Now how long was that before the election?—It was a few days.

3884. Did he say anything at all about the election then?—Yes.

3885. Did he say a word about coming with them, and did he pay 50*l.* to you?—No.

3886. Now when he came the second time, can you tell me how many days afterwards it was?—I should think four or five.

3887. And how long before the nomination day?—About five or six days, I should think.

3888. Before the nomination day?—From the first time he called.

3889. I ask you the second time he called, how long was that before the nomination day?—That was on the Monday.

3890. And the nomination day was on the Tuesday?—Yes.

3891. Then it was the day before the nomination day?—Yes.

3892. You say you had several customers there, now I am curious to know the names of them?—They were ladies.

3893. All ladies?—All ladies at the time up-stairs; I had one gentleman waiting to see me.

3894. Who was that?—A gentleman of the name of Rood, of Cannington, near Bridgwater.

3895. Amongst the ladies who were there, was there a lady named Mrs. Upham?—No.

3896. You are quite sure of that?—Quite sure.

3897. Then do I understand you were up-stairs waiting on the ladies?—I was.

3898. Have you any assistants?—I have two apprentices.

3899. Are they assistants or apprentices?—Apprentices.

3900. Were they all engaged waiting on the ladies?—The apprentices never go into the ladies' room.

3901. Had you any other customers in the shop whom the apprentices were attending upon?—Down stairs.

3902. Who were they?—I cannot say.

3903. Let us understand each other; do gentlemen go up-stairs to have their hair cut?—I have three separate rooms.

3904. Where are they?—Two up-stairs and one down.

3905. Where were the apprentices?—The apprentices were in the one room.

3906. The room you walked through the shop to?—Passed through the shop.

3907. I presume there is a glass door communicating with the shop?—There is a glass door, but you cannot see through it, because it is ground-glass.

3908. Can you tell me the names of any persons whom the apprentices were attending upon?—I cannot.

3909. Where did Mr. Lovibond wait for you?—In the front shop.

3910. I presume that so fashionable a shop as yours must be in Bridgwater, it is a shop that is much frequented?—I cannot say.

3911. Is it in one of the principal streets in Bridgwater?—It is.

3912. What is the name of the street?—Fore-street.

3913. How long do you think Mr. Benjamin Lovibond waited in the front shop?—I cannot say.

3914. Can you not tell us how long Mr. Benjamin Lovibond had been waiting in the front shop, before you were at liberty to attend to him?—I cannot say.

3915. You cannot even guess, perhaps?—I cannot.

3916. Half-an-hour?—I cannot say.

3917. Might it have been, an-hour?—I think not.

3918. Between half-an-hour and an hour?—I should think not; it might have been a quarter of an hour.

3919. How far does he live from you?—He lives in the square.

3920. Well, I do not know where that is; how far is it?—He could walk it in a few minutes.

3921. What time of the day was it?—Between 11 and 12.

3922. In the morning?—In the morning.

3923. You had known Mr. Lovibond for some years?—Many years.

3924. He is an eminent solicitor in Bridgwater, and has been for many years?—As long as I can remember.

3925. Can you tell me about how many ladies you were waiting upon?—I believe it was two or three.

3926. Did they come together or separately?—They came together.

3927. Did they leave together?—Yes.

3928. I presume that to leave, they would have to go through the front shop?—They would.

3929. And if Mr. Lovibond were there, they would see him?—No.

3930. Why not?—We have a ladies' staircase, and a gentlemen's staircase.

3931. Do they both go into the shop?—They must pass through the shop.

3932. Then if Mr. Lovibond were there, they would see him?—Mr. Lovibond was up-stairs at the time they passed through.

3933. How came that to be; I thought you had just told us how he had been waiting a quarter of an hour in the front shop?—He was then shown up-stairs when the ladies went down.

3934. But you say the ladies would have to go through the shop?—Previous to the ladies going down, Mr. Lovibond was shown up-stairs.

3935. By whom?—My daughter.

3936. Then you went into the room up-stairs and found him there?—I did.

3937. Was there anybody else there?—No one.

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3938. You were perfectly private?—We were private.

3939. Was the door shut?—No.

3940. Who went in last?—I did.

3941. Is it usual for you to leave the door open?—Yes.

3942. To what extent was it open?—As wide as it could be; we always keep it wide open; there not being a landing at the head of the stairs, it is necessary to do so.

3943. And there can be no mistake that it was kept wide open during this occasion?—It was.

3944. There is no doubt about that?—I am quite sure it was.

3945. So that, as anybody on the stairs could see into the room, so anybody in the room could see on to the stairs?—Yes.

3946. Now we understand, do we distinctly, that, being perfectly private in the room, Mr. Lovibond sat down, and that you put the cloth round his neck?—I do not quite understand that question.

3947. Pardon me, but I should have thought it, of all others, a one you would have understood; do we understand, that when you went into the room Mr. Lovibond sat down in the usual course in a chair, and you put the cloth or towel round his neck?—On my entering the room, Mr. Lovibond was sitting down.

3948. Well, go on?—I put the wrapper round him in the usual way.

3949. Did you do that without speaking to him?—Yes.

3950. You are perfectly clear about that?—Quite.

3951. By putting the wrapper round him, without speaking to him, you intended to begin cutting his hair?—Yes.

3952. I thought you told us that he had had it cut a few days before?—So he had.

3953. And I think, without his saying a word to you, you went up to him, and put a wrapper round his neck, without saying a word to him?—I did.

3954. Did you make it fast?—Yes, as I should any other gentleman.

3955. Then got your scissors; the scissors and comb; and began your operation?—I did.

3956. Before he said a word?—Without his speaking.

3957. Then, when you had made it all right, and ready to begin, he said, "I do not want my hair cut"?—Just so.

3958. About how long was he there?—It took me quite as long as if I had not cut his hair for a twelvemonth before.

3959. You may be such an expert operator, that that gives me no idea as to how long he was there?—About a quarter of an hour.

3960. This conversation going on?—It might have been 20 minutes, because I had to curl his hair as well.

3961. And you did curl it, I presume?—I did.

3962. And it might have been 20 minutes?—Yes.

3963. Did you accompany him down stairs when you went down stairs?—No.

3964. Did anybody come into the room while he was there?—Not into the room.

3965. That is quite clear?—Quite clear.

3966. No one came into the room during the whole time he was there?—No one.

3967. Did anyone come on to the stairs while he was there?—Yes, I heard some one on the stairs.

3968. Did you see anyone on the stairs?—I did.

3969. Who was that?— I saw my daughter coming up.

3970. Where did she come to?—She did not come up-stairs, she stopped.

3971. She stopped where?—She might have been on the stairs.

3972. But you say you saw her?—I did.

3973. Then, do not tell me where she must have been, but where she was?—On the stairs.

3974. Whereabouts on the stairs?—Two or three stairs up.

3975. How many stairs are there between the shop and this room?—I cannot say.

3976. But about; this is your own house, you know; about how many stairs are there?—About fourteen.

3977. This is the gentlemen's staircase you speak of?—It is.

3978. You saw her about three stairs up; is that so?—I believe it was.

3979. Three steps from the foot of the stairs?—That is so.

3980. How came you to see your daughter three steps from the foot of the stairs when you were engaged in your room with Mr. Lovibond?—I had occasion to leave to get a brush from the table, and I saw her.

3981. Was that brush outside the room?—Oh, no.

3982. What was she doing?—She had to look after the shop.

3983. Does she usually perch herself on the third step to do that?—No.

3984. That is all you can suggest, then; how came she to be on the stairs, on the third step of the stairs, and on the gentlemen's stairs, when there is a ladies' staircase, too?—The ladies' staircase is in another part of the house; she could watch the shop, and sit on the ladies' stairs.

3985. And she watched the shop by sitting behind the counter, you think?—Yes.

3986. By the *Committee.*] Is it a straight staircase?—Perfectly straight.

3987. Mr. *Powell.*] That is, supposing this book to be the room, would the staircase represent something like that, and go straight up to it (*describing*)?—You go straight up.

3988. The *Committee.*] Is the room square?—No, it is not square; there is one step in the shop before you step on to the stairs, and then they go up perfectly straight into the room,

3989. Is that in the centre of the room?—No, it is quite in the corner of the room, close to the wall.

3990. And if you had been cutting Mr. Lovibond's hair you could not have seen your daughter?—Yes, I could.

3991. From any position?—From almost any position.

3992. Mr. *Powell.*] Perhaps it was while you were cutting the hair that you saw your daughter?—Yes.

3993. I thought you told me, not two minutes ago, that it was when you went to the table to get a brush; did you not swear, two minutes ago, that you saw your daughter when you went to get a brush?—I saw my daughter more than once.

3994. Tell

3994. Tell me how many times you saw her?—It might have been two or three times.

3995. Perhaps even more than that?—I cannot say.

3996. When was the first time you saw her; when you went for the brush?—Yes.

3997. If you had seen her before you went for the brush, why did you tell the Committee just now, when I asked you when it was you saw her, "It was when I went to the table for a brush;" I await your answer?—I remember seeing her twice or three times.

3998. That is not an answer to my question, as you know; if you saw her twice or three times, and saw her before you went to the table for the brush, why did you say just now, when I asked you when you saw her, that it was when you went to the table for the brush?—I did not think it mattered much whether it was to fetch the brush or any other occasion.

3999. So, thinking it did not matter, you said that which was not true, perhaps?—It is quite true.

4000. Now, I will not ask you anything more about that; but tell me this: did anybody come in while Mr. Lovibond was there?—While Mr. Lovibond was in the hair-cutting room?

4001. Yes?—No.

4002. Did you walk down with him?—No.

4003. You are quite clear about that?—Yes.

4004. Where did you sit?—In the gentleman's room.

4005. Did anybody come up immediately he had gone down?—No.

4006. Do you know whether there was anybody in the shop when he went down?—I cannot say.

4007. You have told us just now about a note that was brought to you; what time of the day was that note brought, morning, noon, or night?—It was in the afternoon.

4008. You are sure of that?—Yes.

4009. Positive?—Yes.

4010. What time?—Two or three o'clock.

4011. Are you quite sure about that?—Yes.

4012. I do not pledge you to five or 10 minutes, but you are sure it was between two and three o'clock, or about that?—I know it was in the afternoon.

4013. What you call the afternoon probably may be from one to six. I want to know, and I have a reason for asking, whether it was between two and three, as nearly as you can tell?—I believe it was.

4014. Who brought it to you?—I believe, my daughter.

4015. Do not tell me you believe it was your daughter who brought this note that you say made you so angry; who brought it?—It was my daughter.

4016. The same daughter?—The same daughter.

4017. There is no mistake at all about that?—No.

4018. Did she remain in the room after she had given it to you?—No.

4019. Are you sure of that?—Yes.

4020. Quite sure?—Yes.

4021. Did she remain while you read it?—She knew the contents of it; I told her.

4022. When did you tell her the contents?—Just as I burnt it.

4023. Then she was in the room when you burnt it, I presume?—She was not.

4024. Then had she left the room?—Yes.

4025. And come in again?—I went down stairs.

4026. Was it down stairs that you told her of it?—It was.

4027. That you had got a note from Mr. Lovibond, and had burnt it?—Yes.

4028. And you told her the contents?—I did.

4029. Have you any other family besides this daughter?—Yes.

4030. Is your wife living?—Yes.

4031. Does she live in the house?—Yes, but not then; she was away for change of air.

4032. What other family have you?—Five children besides the daughter in question.

4033. Where was it that you told your daughter about it?—In the shop.

4034. That is perfectly clear, is it?—Quite clear.

4035. How soon after you received the note?—In a few minutes afterwards.

4036. A few minutes afterwards you told the same daughter who brought it, that you had burnt it, and you told her in the shop?—Yes.

4037. Do you know a person named Henry Chapman Bussell?—I do.

4038. Was he at your shop some time before the election, and do you remember having a conversation with him about the election in your shop?—He is a regular customer of mine, and he is there three or four times a week.

4039. Do you remember his coming there and having some conversation with him about the election?—I remember Bussell asking me about the election.

4040. Before I ask you about that, I want to ask you another question about the other matter; was the conversation between yourself and Mr. Lovibond carried on in your usual tone, or was it whispered, so that nobody could hear?—It was not whispered.

4041. Was it in your usual tone?—Yes.

4042. You spoke probably almost as loudly as you speak to-day?—I did.

4043. But not quite, perhaps?—Nearly so.

4044. Now, I take you again to Mr. Henry Chapman Bussell; do you remember having some conversation with him before the election about the election?—I do.

4045. Did he say to you, "Well Hayward, which way are you going"?—I said to him, "Which way are you going?"

4046. Did you say to him, "You know the way I have always gone, I have always been blamed for having money, and now I am determined to have it; I will not bear the blame without having the gain"?—I never said those words.

4047. Or anything to that effect?—Or anything to that effect.

4048. Is it true that you had been blamed for having money before?—Quite true.

4049. Had you been blamed unjustly?—Yes.

4050. You never had received any money?—I never had.

4051. From nobody?—From nobody.

4052. But you had been blamed?—I had.

4053. I think you told me you had plumped for Colonel Tynte on the previous election?—Yes.

4054. Now, tell me this, if you please: Did you see Mr. Henry Chapman Bussell the day after the dissolution of Parliament, or about that time?—Not to my knowledge.

4055. Well, recollect yourself; do you remember,

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ber, about the time of the dissolution of Parliament, meeting him?—He was so frequently in my shop that I could not say.

4056. Do you recollect seeing him about the time of the dissolution of Parliament?—I do not recollect.

4057. And saying, "What is it going to be"?—I never did.

4058. Or anything to that effect?—Nothing to that effect.

4059. Did you say then, "They say it will not be more than 10 *l.*, but I can get five or six more than that at any rate"?—I never said any such words.

4060. Nothing of the sort?—Nothing of the sort.

4061. Did you say, "It will not be more than 10 *l.*, but if it is that, I can get 5 *l.* or 6 *l.* more; at any rate, if I can get that, I ought to have a little more"?—I never said such a word to Mr. Bussell.

4062. Nothing of the sort?—Nothing of the sort.

4063. Either to him or to anybody else?—Neither to him nor to anybody else.

4064. Was that at your shop the Monday previous to the election?—I do not remember.

4065. Did you say to him on the Monday previous to the election, "When is it to be; I am the man when you bring me the money," or words to that effect?—I never said those words to Mr. Bussell.

4066. Or words to that effect?—Not any words.

4067. Did you see him on the morning of the election?—No, I do not remember.

4068. Between six and seven o'clock in the morning?—That is a very early hour; I know I did not see him as early as that.

4069. Did you see him at any time that morning?—I cannot remember seeing him that day.

4070. Did you ask him, "When will the money be brought in"?—I never did.

4071. Did he say to you, "We are doing nothing"?—He never said so to me.

4072. Were you canvassed by Sir John Shelley as well as Mr. Kinglake?—I was.

4073. Did you promise Sir John Shelley?—No.

4074. Will you swear that?—I will.

4075. Was anybody present when you were canvassed by Sir John Shelley?—I think so; several gentlemen.

4076. Can you tell me any of them?—I cannot say now; I cannot remember.

4077. I ask you, when you were canvassed by Sir John Shelley, whether you did not promise him to vote for him?—I did not.

4078. Did you say anything about it?—I told him I should not vote for him.

4079. Now, I want you, if you can, to tell me the names of the persons who were with Sir John Shelley when he canvassed you, or any of them?—I cannot remember any of the gentlemen.

4080. Now, upon your oath, when Sir John Shelley canvassed, you did not promise to vote for Mr. Kinglake and Sir John Shelley?—Upon my oath I did not.

4081. Do you know Mrs. Badger?—I do.

4082. Has she a son who is a voter?—She has.

4083. Did you go to her house previous to the election?—I did not.

4084. Did you see her?—She came to my house.

4085. Did you say to her, "If you can use your influence over your son, and prevail upon him to vote for Mr. Westropp, I can place 10 *l.* in your hands"?—I did not.

4086. Nor anything to that effect?—Nothing to that effect.

4087. Perhaps you will kindly tell me to what effect it was?—Mrs. Badger came to my house; I was very busy, and she had to wait two or three hours before I could speak to her; while she stayed at my house she sent one of my children for a quart of beer and drank it; on my going down stairs I saw Mrs. Badger there a second time, and she told me she was very poorly; I made her a drop of brandy and water, and she asked me who I was going to vote for, and I told her.

4088. What did you say to her?—Mr. Westropp and Mr. Kinglake. I asked her who Charley was going to vote for; being very old friends I thought I could do so; she said she wished he would vote for Westropp, the same as I was going to do; I told her he had done a great deal of good for many poor children in the town; and as she had a family perhaps at some future time he might do good for some of her's; she said that if she could get him to do so she would.

4089. Was that all?—I took her home, and the next morning Mrs. Badger called on me again, and said hor son would not vote as she wished, and would I like to vote for Sir John Shelley; if so her son would make me a handsome present.

4090. Were you curious enough to know what the handsome present was to be?—No.

4091. You did not ask her?—I never asked her.

4092. Did that make you indignant?—I told her I had made up my mind to vote for Mr. Westropp and Mr. Kinglake.

4093. Did it make you angry?—I was not angry.

4094. I suppose that is the reason you did not burn the old lady like the note?—I had not the power of doing that.

4095. Who is Mrs. Badger?—A very old acquaintance of mine.

4096. And, therefore, I am quite sure a very respectable woman?—A very respectable woman indeed.

4097. How came she to wait three or four hours for you?—Two or three hours.

4098. How came she to wait two or three hours for you?—She frequently came to my house and sat down; we are friends.

4099. She was there as a visitor then?—She often called in.

4100. And staid as long as that?—She has sometimes stayed longer.

4101. Now, I ask you upon your oath, did you not say to Mrs. Badger, this highly respectable friend of yours, "That if she could prevail upon her son to vote for Mr. Westropp, you could place 10 *l.* in her hands for doing so, without her son knowing it," or words to that effect?—I did not.

4102. Nothing of the sort?—Nothing of the sort.

4103. I tell you that Mrs. Badger is here?—I know it.

4104. And knowing that, do you repeat your answer, that nothing was said about 10 *l.*?—Nothing was said about 10 *l.*

4105. Do you know Mrs. Upham?—Very well.

4106. She

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4106. She is a daughter of Mr. Benjamin Lovibond, I believe?—She is.

4107. Did you have any conversation with her about being paid for your vote at any time?—Never in my life.

4108. You are quite certain of that?—I am quite certain.

4109. I ask you whether you did not tell Mrs. Upham, Mr. Lovibond's daughter, "that you could get several votes for 50 *l.*," or words to that effect?—I never did.

4110. Do you know Mr. Lovibond's servant?—Man or woman?

4111. Man?—Yes.

4112. Did you not say something to Mr. Lovibond's man that you could get some votes if you could get 50 *l.*?—I should not think that I talked to Mr. Lovibond's servant upon the subject.

4113. Not even about election matters?—I should think not.

4114. Then did you to either of Mr. Lovibond's servants ever say anything about if you had 50 *l.* you could get some votes?—I never did.

4115. And you will swear that you never said anything of the kind to Mrs. Upham?—I swear it.

Cross-examined by Mr. *Royston.*

4116. Do I understand you to say that you voted for Mr. Kinglake?—I did.

4117. Had you promised him your vote then?—I believe I promised Mr. Kinglake.

Re-examined by Mr. *Longfield.*

4118. Now, about this Mrs. Badger, is she a person of large family, and in indifferent circumstances?—No, a very-well-to-do person.

4119. She came to you and waited for you a very long time?—She did.

4120. She was very poorly then?—She appeared poorly, and I made her a drop of brandy and water.

4121. Did that seem to agree with her?—It made her rather more talkative than before.

4122. Did you see her home?—I did.

4123. Will you tell the Committee in what state you left the old lady?—I shook hands with her at the door, and she went in and closed it.

4124. In what condition was she as to sobriety?—I must say I think she had had rather too much.

4125. Do you recollect a conversation with her?—Yes.

4126. Is it a fact that on that occasion you said that you would give her money or anything beyond what you have told the Committee about Mr. Westropp's kindness to the poor?—I never mentioned any money to Mrs. Badger; I was not empowered to do so.

4127. She had come to you on both occasions?—She had.

4128. Is her son in any person's employment?—At Mr. John Brown's.

4129. Is he a partner of Mr. Wilton?—He is a clerk of Mr. Brown's, I believe.

4130. He is in the same establishment as Wilton?—He is.

4131. And an ardent supporter of Sir John Shelley and Mr. Kinglake?—Yes.

4132. Was this staircase a staircase leading up from the shop?—Yes.

4133. Into the room in which Mr. Lovibond sat down?—Yes.

4134. Mr. Lovibond sat, I presume, with his back to the door?—Yes, gentlemen always sit with their backs to the door.

4135. And you, I suppose, walk round them?—Yes.

4136. He occupies the same position throughout the entire hair-cutting operation?—Yes.

4137. With his back to the door?—Yes.

4138. It was impossible for him to see down the stairs?—He could not.

4139. But you walked round the customers, and changed your position from time to time, and from time to time you could see down the stairs?—I could.

4140. Now, is there one word of truth about what is suggested by the cross-examination as to Mrs. Upham, or about Mrs. Badger, or about Bussell?—It is not true.

4141. As to each or any of them?—None of them.

4142. By the *Committee.*] Why were you so very angry on the receipt of the note from Mr. Lovibond?—Because I had told him previously that I should not vote.

4143. And you considered it an insult?—I did.

4144. And as a direct attempt to bribe you?—I did.

4145. Why did you not view in the same light the conversation in the room?—I told him I should not vote.

4146. You were also very angry when he offered you 50 *l.* in the room?—I did not appear angry, but I told him I had promised my vote to Westropp.

4147. Did you not consider that in the light of a direct attempt to bribe you?—Yes, I believe it was.

4147*. Were you, or were you not, angry when Mr. Lovibond made that offer?—I did not say to him what I felt, because I did not like to offend a customer.

Miss Eliza Jane Hayward, sworn; Examined by Mr. *Sleigh.*

Miss E. J. Hayward.

4148. You are the daughter of Mr. Hayward who has been just examined?—Yes.

4149. You remember the election of last year at Bridgnorth?—I do.

4150. Do you remember, a few days before the election, a Mr. Westropp calling to canvass your father?—Yes.

4151. Do you remember, a day or two before, or about that time, Mr. Benjamin Lovibond calling?—Yes.

4152. Do you remember his having his hair cut?—Yes.

4153. Do you remember, a day or two after his having his hair cut, his coming again?—Yes.

4154. Now, upon that second occasion, did you see him go into the room where your father usually is?—Yes.

4155. I believe he had to wait some time before your father could attend to him?—Yes.

4156. How long had Mr. Lovibond to wait before

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before he was shown into the room where your father was?—I do not remember how long.

4157. Was it some little time?—Yes, it was.

4158. Now, when your father was disengaged, did Mr. Lovibond go up-stairs to the room?—He did.

4159. While Mr. Lovibond was up-stairs in the room with your father, where were you?—I was in the shop part of the time, then I went to the stairs and overheard what was going on.

4160. Where were you when you heard any conversation between your father and Mr. Lovibond?—Just at the bottom of the stairs.

4161. Was the door open?—Yes, the door was open.

4162. What conversation did you hear?—I heard him ask my papa if he would be with them as usual, and he said he had promised Mr. Westropp to vote for him.

4163. Did Mr. Lovibond make any answer to that, upon your father saying he had promised Mr. Westropp?—No, I heard no more.

4164. Did you hear anything else before Mr. Lovibond came down stairs?—I heard him tell papa that if he would help them it would be worth 50 *l.* to him.

4165. What did your father say to that, if anything?—I did not hear any more.

4166. What next did you hear?—I heard no more.

4167. Did you see Mr. Lovibond come down stairs?—Yes.

4168. When he came down stairs were there some people waiting in the shop for your father?—There was one gentleman.

4169. Into what room do the ladies go?—A room in another part of the house.

4170. Do you remember on the nomination day any person handing you a note for your father?—Yes, it was brought by a little boy.

4171. About what time in the course of the day was it that it was brought?—In the morning.

4172. I do not know what you mean by the morning?—About one or two.

4173. Now, what did you do with that note?—It was given to papa.

4174. Do you remember whether you handed it to him yourself, or whether you gave it to anybody else to hand to him?—It was first given to papa's apprentice, and then it was given to me, and I took it to him.

4175. Did you observe what was on the envelope?—It was marked "private."

4176. Now, when you handed that note to your father, did you see him do anything with it?—No.

4177. Do you know what he did with it?—I do not know what he did with it.

4178. Where was he when you gave it to him, do you remember?—I believe he was up-stairs.

4179. Now, you cannot tell me what he said about it; but shortly afterwards, when he came downstairs, did he say anything to you; do not tell me what it was?—Yes, I asked him a question.

4180. My friend may ask you, but I may not; he said something to you?—Yes.

Cross-examined by Mr. *Powell.*

4181. As I understand you, Miss Hayward, you do not know what became of the note?—No, I do not.

4182. You never heard what did become of it?—I do not remember hearing.

4183. Do you remember whether your father ever told you that he had torn it up?—I do not remember.

4184. Perhaps you never inquired what did become of it?—I asked my papa, and he said it did not concern me.

4185. When was it, Miss Hayward, you asked your father, or will you kindly tell me first the question you asked your father?—I asked him what it was.

4186. When he came downstairs?—Yes.

4187. And he said it did not concern you?—Yes.

4188. Thereupon did the conversation drop?—Yes.

4189. You did not presume, I suppose, after he had given you that answer, to ask him any further question about it?—No.

4190. And he did not say anything further to you about it?—No.

4191. And what became of the note you never heard?—No.

4192. I should like to ask you if you would kindly fix it as near as you can, if it was between one and two that it was brought?—I believe that it was.

4193. May I ask what time you usually dine?—We usually dine at one.

4194. Was it about dinner-time?—Yes; but papa had not been to dinner.

4195. Therefore, I suppose you are able to say that it must have been about one o'clock?—Yes; between one and two.

4196. Not later than two?—I believe not.

4197. Were there any ladies there that morning at the shop?—I do not remember at all.

4198. I would ask you now, if you please, about the second occasion on which Mr. Lovibond called; do you remember that morning; and do you remember his having to wait for your father?—Yes, I remember.

4199. Where did he wait; was it in the room where gentlemen usually have their hair cut, and wait to have it done?—I do not know.

4200. Just try and recollect; you know you have told my learned friend, or rather I think he suggested it to you, that he waited for some time; did he as a matter of fact wait any time that morning?—I know he did wait.

4201. As he did wait, you can probably tell me whether it was in the shop, or whether it was in the room where gentlemen wait to have their hair cut?—I could not say.

4202. May I ask, if you oblige your father by assisting in the shop occasionally?—No, I do not generally.

4203. But did you happen to do so on that day?—Yes, I did.

4204. That being so, you would be able to tell me whether Mr. Lovibond was in the shop that morning waiting for your father, because you happened to be there on that day; was it in the shop he waited, or was it up-stairs?—I remember him standing in the shop some little time.

4205. About how long was he in the shop?—I do not know.

4206. Perhaps you can tell how long he went up-stairs before your papa was disengaged?—I would not say for certain, for I do not know.

4207. May it have been a quarter of an hour?—I believe it was.

4208. He went up-stairs you believe a quarter of

of an hour before your papa was disengaged?—Yes.

4209. By the *Committee.*] You have a distinct recollection of the circumstances of that morning?—Yes, I have.

4210. Mr. *Powell.*] Was it a quarter of an hour, or was it more, or was it less, after Mr. Lovibond went upstairs, before your papa was disengaged?—I believe it was.

4211. Do you recollect who sent him upstairs?—I will not be certain whether I sent him up, or whether the apprentice sent him.

4212. Was your papa engaged with any ladies that morning?—I cannot remember that.

4213. Can you remember how it was that Mr. Lovibond had to wait so long for your papa; was he in?—Yes, he was in.

4214. Do you happen to remember whether there were any ladies there with whom he was engaged, or was he engaged in the lower shop?—I am not certain.

4215. Then he might, for aught you recollect, have been in the lower shop at the time?—I cannot say for certain.

4216. At any rate, you have no recollection that any ladies were there that morning?—No, I do not remember.

4217. Is this staircase a circular or straight staircase?—It is not straight.

4218. Is it circular; is it a waving staircase?—Yes, it is.

4219. I presume you have often gone up and down it?—Oh, yes; many times.

4220. I dare say you can tell us what number of steps there are; did you ever count them; young ladies sometimes do?—No, I have not counted them.

4221. Tell me about how many there are; 10, 20, or 30?—I do not know; not more than 12 or 15, I should think.

4222. Were you on any special duty in the shop that morning?—No.

4223. How came you to be in attendance in the shop that morning; I think I understood you to say that you do not usually assist in the shop?—My mamma was away that morning.

4224. It was in consequence of your mamma being away that you assisted in the shop that morning?—Yes.

4225. May I ask, when assisting in the shop, does your mamma usually take her seat behind the counter?—Yes.

4226. And, I presume, you occupied the seat she usually occupied?—Yes.

4227. How far is that seat from the staircase?—I do not know.

4228. About?—Not many steps.

4229. May we say four or five steps from the staircase?—More than that.

4230. May we say 10 or 12?—Yes.

4231. Did you at any time ascend the staircase that morning, while Mr. Lovibond was there?—Yes.

4232. Did you go up to the room?—I believe I had to speak to papa while he was there.

4233. And, I assume, that to do that you went up to the room?—Yes; but I do not remember for what.

4234. But you do recollect that, as a matter of fact, you went up to the room to speak to papa on business?—Yes.

4235. And to the door of the room, I presume?—Yes.

4236. And was it while you were there in order to speak to papa on this matter of business, whatever it was for, you heard the conversation that you have told us?—It was when I was going back.

4237. You had been up and spoken to papa?—Yes.

4238. And having spoken to your papa, as you were coming down the stairs, you heard the conversation?

4239. I presume you went from your seat to the door to deliver the message, and returned back again for the usual course?—Yes.

4240. Directly, without stopping?—No, I stopped and heard what was going on.

4241. As you went upstairs, did you hear any conversation going on?—I do not remember that.

4242. How long had your papa and Mr. Lovibond been in the room, before you went up with the message?—I cannot say, for certain.

4243. About 10 minutes, or was it immediately?—No, it was not immediately.

4244. Five or 10 minutes?—I should think so.

4245. Of course, Mr. Lovibond saw you, and heard you speak to your papa?—No, I did not go into the room.

4246. But you went to the door, I suppose, and spoke out?—Yes; but I do not think he saw me.

4247. But he must have heard you?—Yes, he must have heard me.

4248. As you say you heard no conversation going on as you went upstairs, had you to open the door to speak to your papa?—No, I had not to open the door.

4249. As you turned back, did the conversation that you had heard begin directly?—I believe so.

4250. Then, as soon as you heard the conversation begin, did you stay and hear what it was about?—Yes, I stayed there on the stairs.

4251. How many steps do you think you got from the door when you heard the conversation begin?—I do not know at all; about half-way, I believe.

4252. And you stayed there on the stairs during the whole of the conversation, so far as you heard it?—So far as I heard it.

4253. Then, may I take it, that you were about the sixth or seventh step, or, perhaps, the eighth?—I could not say, for certain.

4254. It was, as far as you recollect, about half-way?—As far as I recollect.

4255. And on that step, whichever that was, you heard the whole of the conversation which you did hear?—Yes, what I heard on the stairs.

4256. Had you occasion, Miss Hayward, to speak to your father on more than one occasion when he was in the room with Mr. Lovibond?—No, I think not.

4257. Whereabouts in the room was Mr. Lovibond sitting; was it at the far end of the room, by the window?—Yes.

4258. I presume the door opens from the stairs into the room, and the window is at the far end of the room?—There are two windows.

4259. Both in the same wall?—Yes.

4260. Looking upon the street?—Yes.

4261. And Mr. Lovibond was sitting down, having his hair cut, near the windows?—Yes.

4262. Was he sitting with his face to the windows, or not?—Yes, he was.

4263. And

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4263. And your papa, I presume, attending upon him in the usual way?—Yes.

4264. Now, being half-way downstairs, I suppose it was an impossibility for Mr. Lovibond to see you where you were standing?—I had to get to the door to speak to my papa.

4265. But, after you had spoken to your papa, and had got down to where you heard the conversation, I suppose it was impossible for Mr. Lovibond to have seen you where you stood, on the middle of the stairs?—Of course, he could not.

4266. And also, it was impossible for your papa to have seen you, while he was engaged with Mr. Lovibond?—Quite impossible.

4267. By the *Committee.*] That is so, Miss Hayward, is it, that your father could not have seen you?—He did not see me while I was on the stairs.

Re-examined by Mr. *Sleigh.*

4268. Just let me ask you about the staircase: you say it was 12 or 15 steps; what do you mean by a wavy staircase, because I do not quite understand you?—It goes in this way (*describing*).

4269. There is an elbow or bend in the stairs?—Yes.

4270. Is it nearer to the ground floor or to the first floor?—It is nearer to the shop floor.

4271. Now, having got an idea of the staircase, tell me, upon leaving the room after speaking to your father, was it before you arrived at the bend that you stopped and listened?—It was about half way.

4272. The bend you told us would be nearer to the shop floor than to the first floor; therefore, according to your statement, as we understand, it was a little above the bend that you stopped?—Yes.

4273. You see, as the door which is behind you there, and you see the window (*pointing to the door and window of the committee-room*)?—Yes.

4274. Is that the position of the window and door in the room; when you go upstairs and in at the door you see the window right before you?—You see one window.

4275. We have understood you rightly, when my friend asked you the question, you said, "Mr. Lovibond was sitting with his face to one of the windows and his back to the door"?—Yes.

4276. Would your father or anybody else moving about the room, with the door open, be able to see down as far as the bend of the stairs and be able to see anybody standing upon the stairs upon the bend where you were standing, for instance?—I do not think he could unless he came close.

4277. Supposing he turned round and was looking down the stairs, why could he not see a person standing upon the stairs a little above the bend; what is to prevent him?—I do not understand you.

4278. Supposing your father was in the room, and the door was opened, and you were standing upon the stairs in the position that you have told us, a little more than half-way up, if he were to look could he not see you?—If he were to look.

4279. If he turned round and looked there was nothing to prevent him?—No.

4280. Now, you were asked a great many questions by my friend as to whether there were ladies or whether there were other persons there at the time Mr. Lovibond was waiting; this was in July last, and now we are in April; do you happen to remember how many ladies and gentlemen had their hair cut upon that particular day?—No, I do not.

4281. I suppose you sell perfumery, brushes, and other things?—Yes.

4282. And I daresay you cannot remember everything you sold on that day?—No.

4283. Or how many ladies or how many gentlemen, or how many of both, or how many of either there were there; you did not make a memorandum about it?—Of course not.

4284. Do you know a gentleman of the town of the name of Mr. Rood?—Yes, he was there at the time.

4285. He is a person you know well?—I do not know him well.

4286. Do you remember his happening to be there on that day?—Yes, he was there.

4287. As to whether there were ladies, or whether there were or not; there may have been, or there may not have been; but you really don't remember?—I do not.

William Heale, sworn; and Examined by Mr. *Longfield.*

Wm. Heale.

4288. What are you?—A brewer.

4289. You live in the town of Bridgwater, and you are a voter?—Yes.

4290. Do you remember being canvassed at the last election to vote for any person?—Yes.

4291. Do you remember Mr. Kinglake and Sir John Shelley coming to canvass you?—I do.

4292. By whom were they accompanied?—Mr. Benjamin Lovibond.

4293. Did they come to see you?—Yes.

4294. Where?—In Mr. Cook's front room.

4295. Mr. *Powell.*] Which Mr. Cook?—Mr. Henry Cook, my brother-in-law and partner.

4296. Mr. *Longfield.*] They came to your establishment?—To our establishment.

4297. Was Mr. Henry Cook present then?—Yes.

4298. Did they ask you to vote?—They did.

4299. What answer did you give them?—I told them I could not promise them.

4300. Did you assign any reason?—I did.

4301. What did you tell them?—I told them the Liberal party had not behaved kindly to me.

4302. What happened then?—I told them they refused me a license for a house.

4303. Did Mr. Lovibond then go to the step of the door with you?—He did with Mr. Cook.

4304. Did he again press you for your vote?—Yes.

4305. Did he then ask you any question connected with this matter?—He asked me why I would not promise them, and I told him I had been ill-used by the Liberal party.

4306. What did he say then?—He said if I was going to be like that he would be damned if he wouldn't put up his electioneering shutters. I told

I told him that the Liberal magistrate had behaved unkind to me, that they had not granted me a license for an inn at Bath Bridge.

4307. Did he say anything about coming to your office?—After I had told them that they had promised me 40 *l.*, and did not give it to me.

4308. Did they say anything about desiring you to come to the office in an hour's time?—I do not think so.

4309. Did he say anything further about coming to the office?—I do not know that he did; after that he went away.

4310. Did you go to Mr. Lovibond's office then?—No.

4311. Do you remember the Sunday before the election?—I do,

4312. Did Mr. Barron come to you on that day?—He did.

4313. Did he ask you in the presence of Mr. Cooke to give an answer?—He did.

4314. Where did he ask you to go?—He asked me if I would go to Mr. Lovibond's office with him, or go to Mr. Lovibond's office.

4315. After conversing with Mr. Cooke did you go?—I did.

4316. Did you come back with Mr. Barron or not?—No, Mr. Barron went down the front way and I went down the back way.

4317. You went to his office?—I did.

4318. Who did you see?—Mr. Barron and Mr. Lovibond.

4319. Did you say anything about the election?—Yes; there were matters talked of about the election.

4320. Did you say anything then about a sum of money that was due to you?—I did.

4321. Was there a sum of money then due to you?—There was 40 *l.* due to me that I was promised in the election of 1857; Mr. Lovibond's clerk promised me 40 *l.*, and did not perform his promise.

4322. By the *Committee.*] That was the 1857 election, and not to the 1859 election?—No, the 1857 election; I was promised 40 *l.* if I would get the members returned; that was for myself, but they never gave me the money, and I was annoyed at it, and I went to Colonel Tynte's and saw the old gentleman, the father of the sitting member, and he showed me a list with my name and others on it who had never had the money; then I went to Mr. Foster and was annoyed with him, and at the next election I never acted at all for them.

4323. Mr. *Longfield.*] Did you tell that to Mr. Lovibond and Mr. Barron?—Of course I did, but they knew all about it.

4324. Did you tell them again?—I did.

4325. Did you name a sum?—I did.

4326. Did they say anything to you about it?—Yes, they told me it would be right.

4327. Did they ask you to work for them or anything?—I told Mr. Lovibond that if he wanted me, he knew where I was, or some words to that effect.

4328. Did they ask you to vote or work for them?—Work for them.

4329. Did he again say anything about the 40 *l.*, about its being right?—Yes; I told them about the 40 *l.*

4330. Did they again repeat that it would be right, or say anything about it?—They did.

4331. By the *Committee.*] Who are "they?"—Mr. Barron and Mr. Lovibond; but Mr. Barron said it would be right, and Mr. Lovibond said, "Oh, yes."

4332. Mr. *Longfield.*] Was it a conversation between all three?—Yes, all three together; there was no one else in the room.

4333. Did they ask you then about Mr. Westropp's prospect of success?—When I went to the door to go out, Mr. Lovibond and Mr. Barron were there at the door, and Mr. Lovibond spoke to me about the prospects of the election in the event of nothing being done, and then I told Mr. Lovibond that I thought the chances were all in Mr. Westropp's favour; he asked me if I said that because he was a more popular man, and then he asked me if I would like to see the candidates. There was a passage in the lobby as you came in, and I did not know that the candidates were there; but the door was opened and I was shown into the room where Mr. Kinglake and Sir John Shelley were, inside the room.

4334. Had you promised one vote to Mr. Westropp?—I had.

4335. You had another vote which you could have given if they had pleased you?—I had.

4336. To either Sir John Shelley or Mr. Kinglake?—To either I chose to give it to.

4337. Did you have any conversation with the candidates?—I shook hands with them and I told Mr. Kinglake that if I had given my second vote to anybody I should have given it to Mr. Kinglake, but I did not promise anything.

4338. Did you then leave and go away?—I had some conversation with them, and I shook hands with the two gentlemen, and they asked me if I would vote for them, and I told them I would not promise them, but if I was wanted, Mr. Lovibond knew about it.

4339. Did you say you could not promise them both?—No, I did not tell them that; I could not promise both because I had promised one vote before.

4340. By the *Committee.*] You only gave one vote?—I had only promised one vote to Mr. Westropp, and if I had given my second vote to any one, I would have given it to Mr. Kinglake.

4341. Mr. *Longfield.*] Did you leave then?—I did.

4342. Did they on that occasion, before introducing you to the candidates, tell you expressly more than once, that this claim of yours would be paid to you?—Certainly, if worked for it; it was an understood thing.

4343. You told Mr. Lovibond, that if he wanted you, he knew where to find you?—Yes, and I told the candidates the same.

Cross-examined by Mr. *Powell.*

4344. Now, just let us understand: I do not know whether you adopted my friend's words, or whether you meant them to be your own; do you mean to say that either Mr. Barron or Mr. Lovibond ever said to you that the money would be paid to you?—I have never said so; I said they told me they would make it right; there was never any money mentioned at all; they said it should be made right.

4345. I presume that Mr. Barron and Mr. Lovibond were present during the whole of that conversation?—They were.

4346. You have told us that you made complaints about Mr. Tynte's people, and about Mr. Tynte?—I did.

4347. Do you remember Mr. Barron asking you

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you if there was any reason why Mr. Kinglake and Sir John Shelley should be punished on account of Colonel Tynte's agents?—No.

4348. Was nothing of the sort said?—I do not believe there was; I do not say there was not, but I certainly do not remember it.

4349. Was the name of a person named Foster mentioned in that conversation?—Yes.

4350. Do you not remember Mr. Barron saying to you that there was no reason why Mr. Kinglake and Sir John Shelley should be punished for what Foster had done?—He may have said so, and now you have brought it to my memory, I believe Mr. Barron did say that the candidates ought not to suffer for Foster.

4351. Did you ask them to promise you that the 40 *l.* should be paid?—No, never.

4352. What was the object of your talking to them about the 40 *l.*?—To tell them that it was due to me, but they knew that before.

4353. Your object was to tell them that it was due to you?—Yes.

4354. I thought you said they knew it before?—And half Bridgwater knew it.

4355. And they knew it?—I do not know whether the candidates knew it or not.

4356. I am not asking you about the candidates, I am talking about Mr. Barron and Mr. Lovibond?—They may have known it.

4357. Have you any doubt about it?—I could not swear they did.

4358. Did not you say half Bridgwater knew it?—So they did; a great many of the electors knew it.

4359. Why did you talk to them about the 40 *l.*?—Because in the course of the conversation it came out, and I told them why I was annoyed.

4360. Why did you tell them that you were annoyed; what was it to them?—I do not know what it was to them.

4361. Did you not mention that 40 *l.* with a view to induce them to pay or promise you that 40 *l.*?—Certainly I did; but that would not have had anything to do with the election; it was what was due to me for the election of 1857; this election had nothing to do with the election of 1857.

4362. Did Mr. Barron tell you that you must well know that the giving any such promise as that was quite out of the question;—No, he never did.

4363. There is no mistake about that?—There is no mistake; he never did tell me either directly or indirectly; he never said a word to me about it.

4364. Then besides the 40 *l.* question, there was another complaint about a spirit license?—Yes.

4365. Did you suggest to them that you ought to have that license?—We applied for it.

4366. I am talking about this conversation with Mr. Lovibond and Mr. Barron, when they were alone with you, and no one else was present; did you suggest to them on that occasion that you had been ill treated also about the spirit license?—I did.

4367. Did you do that for the purpose of ascertaining whether you would be likely to get a spirit license?—Certainly not, because we had been refused for four or five years following; I always worked for the Liberal magistrates, and got them into power.

4368. And they were so ungrateful that although you had done all that for them, they refused you your license?—They did for four years following.

4369. And you were very angry about it of course?—I certainly was annoyed about it.

4370. Did you wish them to get the promise of some of the Liberal magistrates that you should have a grant of the license at the next licensing meeting?—I never said a word about it.

4371. Not to either of them?—I did not.

4372. Did Mr. Barron tell you that it would be for you to consider how far that would increase your chances of success in obtaining a license, speaking to the magistrates beforehand?—Certainly not; he never said a word to me about it.

4373. Mr. Barron is a solicitor practising at Bridgwater?—He is.

4374. And a partner of the town clerk of the borough?—Yes.

4375. And I need scarcely say a man of some position there?—He certainly is a gentleman, I believe, to all intents and purposes.

4376. Now, reminding you that Mr. Barron is here, and that I am going to call him, I ask you whether he did not tell you that it was out of the question to speak to the magistrates privately, and it would be for you to consider how far such a course would ensure your chances of success?—He never said a word about it on that occasion at all, nor on any other occasion; Mr. Barron applied for us for the license, and it was always refused him.

4377. Did you have a conversation with Mr. Barron before you went to Mr. Lovibond with him?—In the counting-house, in the presence of Mr. Cooke.

4378. These matters of the 40 *l.* and the license were talked over in the counting-house before you went to Mr. Benjamin Lovibond?—Not to my knowledge.

4379. Just consider, do you not remember?—I do not.

4380. Do you not remember the 40 *l.* and the license had been spoken of before you went to Mr. Benjamin Lovibond's office?—I do not believe they were spoken of at all.

4381. Now, did either of the gentlemen when you were in Mr. Lovibond's office, ask you if you would vote for Kinglake and Sir John Shelley?—I was there for the purpose to promise them.

4382. Did you say you hardly knew what you should do?—No, I did not; I never said such words in my life, "that I hardly knew it;" how could I say that when I had promised Mr. Westropp before.

4383. Do not reason with me; I do not care which way you answer my questions if you will only answer them; did you ultimately say you would vote for Kinglake and Sir John Shelley, but you hoped nothing would be said about it as you had been in the other camp?—No.

4384. Now you have stated that you were introduced to Sir John and Kinglake; I ask you whether you did not distinctly promise to vote for Kinglake and Sir John Shelley?—No.

4385. You shook hands with them?—I did.

4386. Did they not thank you for your promise?—No.

4387. As you were leaving the office did you say to Mr. Benjamin Lovibond, "If you want me immediately, send for me?—No.

4388. By the *Committee.*] Did you say that at any other time?—I told the candidate so, but not Mr. Lovibond.

4389. Mr.

4389. Mr. *Powell.*] I ask you whether Mr. Lovibond did not reply that he would?—I named that to the candidates.

4390. Did you say so to Mr. Lovibond?—I did on the prior occasion in the other room, but I did not in that room, I was speaking to the candidate there; it was there that I told them.

4391. Then may I take it, that in the private room you told Mr. Lovibond and Mr. Barron that if they wanted you they would send for you, and you told the candidates in the other room?—Yes.

4392. You told Kinglake and Sir John Shelley in one room that if they wanted you, they were to send for you?—If they wanted me; Mr. Lovibond knew what I was going to do.

4393. After Mr. Westropp had been returned, do you remember speaking to Mr. Barron on the subject?—No.

4394. Do you remember an occasion when you saw Mr. Barron, when Mr. Carslake, the gentleman who has been called, was present?—Most certainly I do, in Mr. Barron's office; I went there on business.

4395. And you remember Mr. Carslake being present?—Yes.

4396. Did Mr. Barron say to you, in effect, that he knew that you had been very instrumental in bribing on the other side, and that you had better make a clean breast of it?—He never said a word about bribing.

4397. What did he say?—He said I took a very active part in it, and I had better make a clean breast of it.

4398. Did you say that nothing should induce you to betray your employers?—My employers! I am my own master; I could not say such words.

4399. Did you say that nothing should induce you to betray your employers?—I never did say such words as that.

4400. What answer did you make?—I said I knew nothing about it, and if I did I should not betray my trust; I said so in Mr. Carslake's presence; Mr. Carslake was coming into the room just as the last sentence was uttered.

[Adjourned to Monday at Eleven o'clock.

Monday, 23d April 1866.

W. E. BAXTER, Esq., in the Chair.

Mr. William Heale, recalled; Re-examined by Mr. *Longfield.*

Mr. *W. Heale.* 23 April 1866.

4401. You were cross-examined on Saturday about some conversation you had in Mr. Carslake's office?—Yes.

4402. Do you remember the conversation to which allusion was made?—I do.

4403. Tell the Committee what that conversation was, as far as you recollect?—I and my partner went to Mr. Carslake's on business, and in the course of the conversation Mr. Carslake said, "Well, Heal, you have carried your man."

4404. You went on business of your own?—Yes.

4405. What occurred; who commenced the conversation, and what was said?—Mr. Barron said, "Well, Heal, you have carried your man." I said, yes; and he then said, "If I was in your place I would tell all I knew, make a clean breast of it, and take the benefit of the Act." I told him I knew nothing about it, and if I knew anything, I told him, I should not betray my trust. Mr. Carslake then said, "Well, Heal, you are a plucky old boy." That was all the conversation that passed in the room.

4406. The conversation was in the presence of who?—In the presence of me and my partner, Mr. Barron, and Mr. Carslake.

4407. Did Mr. Barron say to you, "Well, you know you have bribed many"?—Never such words spoken, either by Mr. Carslake or Mr. Barron.

4408. Will you look at these documents (*handing two to Witness*); do you recollect getting that notice?—It is a circular sent to me; I received that notice.

4409. You do not know in whose handwriting it is?—I do not.

4410. Mr. *Powell.*] I want to ask you one question, Mr. Heal, with the permission of the Committee, about this 40 *l.* that you speak of; will you be kind enough to recollect whether that was not a transaction that arose out of the election of 1852?—One thousand eight hundred and fifty-seven.

4411. Just recollect yourself?—One thousand eight hundred and fifty-seven; that was the election before the one in 1859.

4412. Who were the candidates in 1852?—I really do not know.

4413. Colonel Tynte and Mr. Follett?—I believe so.

4414. And Lord Henley?—I believe they were. I really do not remember that.

4415. Just brush up your mind a little, and tell me whether you do not remember that the transaction about the 40 *l.* originated at the election of 1852?—I believe it was 1857.

4416. But you would not swear it?—I would not swear it; it was an election that Mr. Edward Gooden had to do with.

Mr. Henry Cooke, sworn; Examined by Mr. *Longfield.*

Mr. *H. Cooke.*

4417. You reside at Bridgwater, and are an elector of that borough, I believe?—I am.

4418. Are you in partnership with Mr. Heal, who was just examined?—I am.

4419. You carry on business as brewers there?—Yes

4420. You remember the last Bridgwater election?—I do.

4421. Do you remember Sir John Shelley and Mr. Kinglake calling at your office and canvassing you?—I do.

4422. Who were they accompanied by?—Mr. Benjamin Lovibond.

4423. Did you see them there?—I did.

4424. Did they canvass you for your vote?—They did.

4425. For both Sir John Shelley and Mr. Kinglake?—Yes.

4426. What did you do then?—I promised Mr. Kinglake I should support him.

4427. Did you say anything about your second vote?—I said I should reserve that to some other time.

4428. When this occurred, the only persons present were the four you have named: yourself, Mr. Lovibond, and the two candidates?—Yes.

4429. Did Mr. Heal then come into the room?—He did.

4430. Did the candidates and Mr. Lovibond canvass him then?—They did.

4431. Now will you tell me what Mr. Heal said, if he said anything?—Mr. Heal said he should not promise his vote to anyone.

4432. Did he give a reason?—Yes, he said he had been used ill by the Liberal party, and he should not promise his vote.

4433. Did Mr. Lovibond then go out of the room with you and Heal?—He did.

4434. Were the candidates with him then, or was this conversation between the three of you?—The candidates had now left the room.

4435. What further did Mr. Lovibond say, when he and you and Heal were together; did he canvass Heal again for his vote, or what?—Yes.

4436. What was the reply?—Mr. Lovibond said to Mr. Heal, "Heal, you are not going to leave us, are you?"

4437. Did he say anything about what is the matter, or what is the reason?—No, he said, "If you leave us, I am damned if I don't put up my electioneering shutters."

4438. Did

4438. Did he ask him, "What is your reason for not voting"?—He did. He said he had been used ill about the licensing affair.

4439. Did he ask him again a second time, when you three were together, what was his reason for declining to vote?—Yes.

4440. Did Heal then enter into an explanation about it?—He did.

4441. What did he say then?—He said the Liberal party had used him bad. He had applied three or four times for the license of a house which we have, and they refused granting it.

4442. Did Mr. Lovibond say anything about coming to his office?—Yes.

4443. What did he say?—Asked him to meet him at his office in an hour's time.

4444. Did he say for what purpose?—Then he said, "I will see if I cannot make matters right."

4445. Did Mr. Heal go to him?—Not that I am aware of.

4446. Do you remember Mr. Barron calling at your office a few days afterwards?—Yes.

4447. Is that a gentleman named Eustace Barron?—Yes.

4448. Did he ask for you or Mr. Heal?—For Mr. Heal.

4449. Were you and Mr. Heal together when Mr. Barron came in?—No.

4450. Were you together at any time during the conversation?—Yes.

4451. What did Mr. Barron say in your presence to Heal?—He asked Mr. Heal to meet him at Mr. Lovibond's office.

4452. Did he say for what purpose; whether it was about the election, or what?—No, I do not know that anything more took place; in fact I left the room.

4453. Did Mr. Barron leave the house shortly to go, as you believe, to the office of Mr. Lovibond?—Yes.

4454. Did Mr. Heal come back shortly afterwards?—Yes.

4455. Did he tell you then what occurred at Mr. Lovibond's office?

Mr. *Powell* objected to the question.

Mr. *Longfield* was heard in support of the question.

Mr. *Powell* was heard in reply.

The *Committee* decided that the question should be put.

4456. Mr. *Longfield.*] Did Mr. Heal say anything to you about the business on which he had been at Mr. Lovibond's office?—He did.

4457. Did he tell you what occurred?—Yes.

4458. Now tell, as well as you can recollect, what Heal then said had occurred at Mr. Lovibond's office; tell it as fully as you remember?—Mr. Heal, when he came home, told me that he had told Mr. Lovibond about 40 *l.* which he was promised in the year 1857, for services he had rendered the Liberal party; Colonel Tynte, I think he mentioned. He said he saw his name at Colonel Tynte's, being put down for 40 *l.*, and he had never received the money. Then he told me that Mr. Lovibond had said, "You come with us; I will see that shall be made all right."

4459. Did he tell you anything further of what had occurred?—Then he was introduced to Mr. Kinglake and Sir John Shelley, he told me.

4460. That occurred on the same day that Mr. Barron called?—Immediately after he told me.

4461. Did any further conversation take place?—Immediately after he was introduced to Mr. Kinglake and Sir John Shelley; and he told me that both asked him for his vote, and he refused giving it, he told me. He said, "If Mr. Lovibond wants me, he knows where to send for me."

4462. Did he say anything further had occurred, or do you recollect anything further that occurred?—No, I do not.

4463. I suppose you were generally about the town of Bridgwater during the election?—I was not at the last election. My wife was on the point of death, and I was out a very little.

4464. Did you get any invitation from the Liberal party to attend their committee-rooms?—Yes, from one.

4465. Mr. *Powell.*] Was that in writing?—Yes, by circular.

4466. Mr. *Longfield.*] Have you that circular, or have you destroyed it?—I have not got it.

4467. Do you know what has become of it?—I dare say it has been destroyed as waste paper.

4468. To attend what committee-room?—At Mr. Manchip's, which is near our residence.

4469. Do you remember the substance of it?—I believe, "The friends of Mr. Kinglake and Sir John Shelley will hold a committee meeting at Mr. Manchip's, when your company would oblige," but I cannot give you the words, it is impossible.

4470. Do you know the committee-rooms that Mr. Kinglake and Sir John Shelley had during the election?—I was only down town once during that day, but I saw a committee-room in Eastover, and one near us at Mr. Manchip's.

4471. From that committee-room were there placards?—I cannot say.

4472. Where was the committee-room in Eastover?—At Mr. Phelps's, the Commercial Inn.

4473. Do you remember being with Mr. Heal at Messrs. Carslake and Barron's office shortly after the election?—Soon after the election I was.

4474. About private business, I presume?—We were.

4475. Do you remember either of those gentlemen, Mr. Carslake or his partner, saying anything to Heal about the election?—Yes, it was done at the time, I thought, more in a joke than anything else; that is what I fancied at the time, never thinking to hear of it again; that is how I took it at the time.

4476. Did you think it was in a jocular way?—Yes, that is how I took it at the time.

4477. What did occur, whether you thought it was jocular or not?—It was in this way, "Well, Mr. Heal, you have returned your man Mr. Westropp?" He said, "Yes, I never voted the losing side in my life," and there was a laugh.

4478. Anything further?—Mr. Barron said, "If I was in your place, I would tell the truth, make a clean breast of it, and take the benefit of the Act;" and so it ended in a laugh.

4479. What did Heal say?—He said, "I do not know anything; if I did, I would not betray my trust."

4480. What

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4480. What did Mr. Carslake say?—Mr. Carslake said, "Well, Heal, you are a plucky old fellow," or words to that effect.

4481. It was a jocular conversation?—It was; there was no question about it at the time, there was no more said.

4482. Then you left?—We had done our business and we left.

Cross-examined by Mr. *Powell.*

4483. According to your recollection, he said, "I do not know anything; if I did, I would not betray my trust"?—Yes.

4484. What was there plucky in that; if you knew nothing, what was there plucky in not telling anything?—Well, sir, it was not my saying, it was Mr. Carslake's.

4485. I want to ask you to be kind enough to remember who was present at this conversation which you have been talking to us about, when Mr. Kinglake and Sir John Shelley called?—Mr. Kinglake, Sir John Shelley, Mr. Lovibond, Mr. Heal, and myself.

4486. Any one else?—Not any one, that I am aware of.

4487. I think you would not undertake to say there was no one else; do please try and remember whether there were any other persons present?—If there was, I did not see them.

4488. They could scarcely have been there without your seeing them?—I am almost confident that there was no one but us in the room.

4489. You would not swear positively, I suppose?—Yes, I could.

4490. But will you? I assure you I am not asking the question idly; would you swear that there was no one present at this conversation, when Kinglake and Shelley canvassed you?—I did not see any one, I assure you.

4491. How long have you been partner with this gentleman, Mr. Heal?—In the year 1857.

4492. Have you heard from him before about this 40 *l.* and the licensing matter?—I have heard about the licensing matter, because I knew he was very much annoyed about it.

4493. Had you heard about the 40 *l.* before?—No, not to the best of my knowledge; I never had.

William Baldock Gilbert, sworn; Examined by Mr. *Sleigh.*

W. B. Gilbert.

4494. I BELIEVE you are a gamekeeper, and reside at Furze Lodge, near South Molton?—Yes.

4495. How far may that be from Bridgwater?—About 60 or 70 miles.

4496. That is where you reside now?—Yes.

4497. Last year were you an elector for the borough of Bridgwater?—Yes.

4498. Now, do you know John Cheriton?—Yes.

4499. Who is John Cheriton?—Coachman to Mr. Benjamin Lovibond.

4500. Now, some time before the election—about a week or two before the election—did you receive a note from Cheriton?—Yes.

4501. What has become of that note?—I have lost it. I brought it to London with me, but I cannot find it now; but I can tell you the purport of it.

4502. When did you bring it to London?—On Monday night.

4503. You say you have lost it?—Yes.

4504. Have you made diligent search for it?—I have; at least I searched my great-coat pocket. I slept with John Cheriton that night.

4505. Were you brought up to London by John Cheriton?—Yes.

4506. Upon a subpœna to appear on behalf of Sir John Shelley and Mr. Kinglake?—Yes.

4507. John Cheriton brought you up; did he pay your expenses?—Yes.

4508. Where did you sleep upon that Monday night?—Somewhere in the Edgware-road; but I do not know at what place. He took me to the "Ship" Family Hotel, and they could not accommodate me with a bed; and then he took me somewhere in the Edgware-road.

4509. Did you sleep in the same room with him?—In the same bed.

4510. Previously to going to the house, was that letter safe?—To the best of my belief it was; I had it with me.

4511. When did you miss it, after getting up the next morning?—I did not miss it until I was here, in the lobby outside.

4512. You came here on Tuesday for the first time?—Yes.

4513. How soon afterwards did you miss it?—Between 11 and 12; I searched for it, and could not find it.

Cross-examined by Mr. *Powell.*

4514. When was the last time you saw the letter?—On Monday.

4515. What time of the day?—I had it when I arrived in London.

4516. Did you see it?—Yes; it was in my pocket-book, the same as I have it now.

4517. Did you take the letter out of your pocket-book?—No, I had got it in this way, slipped in under here.

4518. Did you, after you got to London, see that identical letter?—Yes.

4519. Slipped under the elastic of your pocket-book?—Yes.

4520. Where were you when you saw it?—Well, I was at the "Ship" Family Hotel at that time.

4521. What time of the day was it?—We arrived in London somewhere about 11 o'clock at night.

4522. It was at night?—Yes.

4523. Was it upstairs or downstairs, or where, that you saw it?—Upstairs; they were at supper; a quantity of them, when I was looking at it; I went into the room while they were at supper.

4524. And while in the supper-room pulled out your pocket-book?—Yes.

4525. You saw the letter there?—I saw it there, and replaced it in my pocket-book again.

4526. Did not you take your pocket-book out until you came into the lobby here?—No.

4527. You missed it on what day?—On Tuesday.

4528. At what time?—Between 11 and 12.

4529. Have you searched for it since then?—Yes.

4530. Where?—In my coat pocket, to see if it got out.

4531. Where

4531. Where else?—I did not know where to go to that place, or else I should have gone there.

4532. Have you, or have you not, searched for it?—I have not.

4533. You were brought up here on a subpœna, and on behalf of Sir John Shelley and Mr. Kinglake?—Yes.

4534. Have you made any inquiry of the people of the inn, whether they picked up the letter?—I do not know the name of the inn.

4535. Where have you been sleeping since?—At 32, Carlton-road.

4536. Who took you?—I went in a cab.

4537. How came you to leave your friend Cheriton?—Because I have a brother-in-law living down there.

4538. You went to this inn with the intention of sleeping there, and did sleep there?—No, I did not sleep there.

4539. Then I understood you so?—I did not tell you, sir.

4540. Did you not tell us just now that you slept in the same bed with Cheriton?—I did.

4541. Where; in the Edgware-road?—Yes.

4542. Did Cheriton go with you to the Edgware-road?—Yes.

4543. Have you ever slept there since?—No.

4544. Where did you go?—To Carlton-road, Carlton-square.

4545. Who took you there?—No one; I went by myself.

4546. When did you leave the place where you slept with Cheriton?—Tuesday morning.

4547. Had you occasion to take your pocket-book out before you left Cheriton?—No.

4548. But you made no inquiry at the house where you slept that night?—No, I have not.

4549. By the *Committee.*] Have you lost anything else in London?—No.

4550. Mr. *Sleigh.*] Do I understand you to say you do not know the house where you slept?—I do not.

4551. And you do not know the name of the inn?—No, I never was up there before, to my knowledge; and it was late at night.

4552. Mr. *Powell.*] You told us the "Ship"?—That is where we went to first; and we left there, and could not be accommodated with a bed.

4553. Mr. *Sleigh.*] Is that the place where you last saw the letter safe, or is it there where you slept?—Where I saw the letter last was at the "Ship" Family Hotel, and then I slept in the Edgware-road.

4554. When you left the "Ship," according to your belief, was the letter safe?—Yes, according to the best of my belief.

4555. Did you go to any house after you left the "Ship," before you went to the house where you slept?—Yes.

4556. Do you know where that is?—No.

4557. Searching for a bed?—Yes.

4558. Did you take your pocket-book out at either of those houses?—No.

4559. By the *Committee.*] You attached great importance to this letter?—Yes.

4560. Did it not occur to you to make a search for it?—I put it in with some other letters which I had got; and I have got the other letters, but I have not got that.

4561. Did it not occur to you to go to the "Ship" tavern, and ask if they had found such a document?—I did not do so.

4562. Or to ask Cheriton the number of the house where you slept?—No, I have not asked him.

4563. Mr. *Sleigh.*] When you say you were at supper with them, who are the persons whom you indicate by the word them?—There was a lot.

4564. By the *Committee.*] Did you know any one else at supper at the "Ship" tavern, except Cheriton?—Yes.

4565. Mr. *Sleigh.*] Who were they?—There was Mr. Bussell there, and Mr. Holway, the grocer.

4566. Were they witnesses who came up with Cheriton?—They did not come with Cheriton, but they were there for the same purpose.

4567. By the *Committee.*] Did you ask Cheriton if he had seen the letter?—No.

4568. Nor anyone else?—No.

4569. You made no further search than looking in your pocket?—No.

Mr. *Longfield* submitted that he was entitled to give secondary evidence of it, and that there had been sufficient search.

The *Chairman* stated that the Committee were of opinion that sufficient search had not been made, and that his making a search now would be of no avail.

Mr. *Longfield* stated that the Witness should make a search, and they would tender him again for examination when he had made a search.

4570. Mr. *Sleigh.*] After the receipt of some letter from Cheriton, the contents of which you must not tell me, when did you see him; how soon afterwards?—I have seen him twice since this.

4571. You received the letter from him, you have told us, about a week before the election?—Yes.

4572. Did you see him between the time you received that letter and the day of the election?—At what time of the election, do you mean, sir?

4573. I do?—Yes.

4574. When was that; the day before the polling or the polling day?—I saw him both days.

4575. Now, a day or two before the nomination day, did you receive any letter or any envelope by post?—Yes.

4576. What did that contain?—Ten shillings' worth of stamps.

4577. Now, was it upon the nomination day you say you came to Bridgwater?—Yes.

4578. Where did you sleep that night?—At the "Bull and Butcher."

4579. Before you went to bed that night, did you see John Cheriton?—I saw him riding about the town on horseback.

4580. Did you speak to him that day?—Yes; he wanted to speak to me, but I was in company with some one else, and I did not say anything to him that day.

4581. You had no conversation with him that day?—No.

4582. Where did you sleep that night?—The "Bull and Butcher."

4583. Did you go to any other houses in the town that day before you went to bed?—Yes.

4484. Did you have any refreshment at any of those houses?—Yes.

4585. Which houses were those?—I had a glass of ale at Mr. Morris's, on the quay; the porter stores.

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4586. Did you pay anything for it there?—Yes.

4587. Where else did you go?—On the nomination day?

4588. Yes?—I did not know that I went into any other house.

4589. Upon the polling day when did you see Cheriton?—In the morning.

4590. About what time?—It might be 10 or 11 o'clock.

4591. Had you at that time polled when you saw him first?—No.

4592. What did he say to you?—He asked me who I was going to vote for.

4593. Was that the first thing he said to you?—Yes.

4594. What did you say to him?—I did not know exactly just then; I had not made up my mind; I did not choose to give him a direct answer.

4595. What next?—Then he said if I would come and vote for Sir John Shelley and Mr. Kinglake, that he would guarantee that I should get 3 *l.* more than I should get from the other side.

4596. What did you say to that?—I said, "Oh, very well," and he asked me if I would go over to the square, over to the committee room, and I did not go.

4597. Did he say what you were to go for?—To go before the committee there; he wanted me to. He said the governor was there.

4598. His governor, you have told us, was Mr. Benjamin Lovibond?—Yes.

4599. Did you go to the committee room?—No.

4600. Did you go to the poll?—I did.

4601. Who did you vote for?—Mr. Westropp.

Cross-examined by Mr. *Powell.*

4602. I understand you were brought up here as a witness on behalf of Sir John Shelley and Mr. Kinglake?—Yes.

4603. Do you know that your name is in the list of those who were alleged to have been bribed by Mr. Westropp?—I am not aware of that.

4604. This person, Cheriton, whom you speak of, I presume you knew very well?—Yes.

4605. Tell me, was that the person who, because he knew you, served you with a Speaker's warrant?—Yes, he did.

4606. Did you say to him that you were a damned fool for not having more than you did have?—No.

4607. Did you say that you knew a great many more yourself who had been bribed?—No.

4608. Did you give him the address of a voter of the name of George Pugh?—I did.

4609. Does he live at Plymouth now?—He did at the time that I knew him; I do not know whether he does now or not.

4610. Did you give him that address, telling him he was another of the black sheep on the blue side?—I could not give him the address, because I did not know it.

4611. You just said you did give him the address?—I told him he lived at Plymouth, but I did not know the house or the street.

4612. Did you tell him that George Pugh was one of the black sheep, who had received money on the blue side?—Not to my recollection.

4613. Now, I will give you time to recollect. Was he, to your knowledge, one of the black sheep on the blue side?—He voted for Mr. Westropp; he told me so.

4614. Was he, according to you, one of the black sheep who voted on the blue side?—No.

4615. You never thought so?—No.

4616. Never said so?—I do not understand the remark.

4617. That you pledge your oath to the Committee?—Yes.

4618. You never said so to Cheriton or to any body?—No.

4619. Look at that note, and if it is your handwriting, read it out to the Committee?—No, certainly not; that is not my handwriting.

4620. Hand it to the Chairman; and I ask you, upon your oath, whether that is not a letter written by you to Cheriton?—No.

4621. Given to Cheriton?—No, that is not my handwriting; you can see my handwriting, if you like.

4622. Did you not give that letter to Cheriton for Mr. Lovibond?

4623. By the *Committee.*] Did you ever see it before?—No.

4624. Mr. *Powell.*] Perhaps if that is not your writing, you know whose writing it is?—No, I do not.

4625. Never saw it before?—No, not to my knowledge; I have seen thousands of handwritings, but I do not know that I have seen that before.

4626. The Committee will allow you to look at it again; look at it, and say if it is not your handwriting?—I have seen it before.

4627. You have seen it before?—Yes, you have just this moment shown it to me.

4628. Do you know whose handwriting it is?—I do not know.

4629. Look at the address; whose handwriting is that?—I do not know; it might be Mr. Lovibond's, for all I know; it is not mine.

4630. Do you know whose writing that is (*handing another*)?—Yes, I do, because there is my signature to that.

4631. Now give it back to me?—Allow me to read it first.

4632. Read it yourself to the Committee?—"To B. Lovibond, Esq. Sir,—John Cheriton has this day been to me, respecting the Bridgwater election, and if I have to appear in London to give my evidence, I shall state the truth, and nothing more. I am, sir, your obedient servant, W. B. Gilbert."

4633. Now did you not write the first letter that has been put in, in the presence of Cheriton?—No, if ever I wrote that letter, I must have been fearfully drunk; it is not my writing; I have no recollection of that at all. (*Both letters were handed to the Committee.*)

4634. Now, take that letter in your hand; you said you must have been very drunk; are you in the habit of getting drunk?—Well, John Cheriton made me drunk when I was down there that night.

4635. Are you in the habit of getting drunk?—Occasionally.

4636. Now, take that letter in your hand again, and tell me whether, drunk or sober, you did not write that letter?—No, I do not believe I did.

4637. Will you swear you did not?—I will swear it is not my daily handwriting.

4638. Will you swear you did not write that letter, and I beg you to be cautious in answering?—I want to be cautious.

The *Chairman.*] Recollect that you said, if you had written it, you must have been very drunk; now keep that answer in mind.

4639. Mr. *Powell.*] Upon your solemn oath, did you not write that letter?—If I did, I must have been very drunk.

4640. Will you swear you did not?—I do not believe I did.

4641. Will you swear you did not?—It is not my handwriting, I do not believe.

4642. Will you swear you did not write it; you must answer the question, yes or no?—I have no recollection of writing it.

4643. I shall repeat them until it is midnight; will you swear you did not write it?—I answer it by saying, if I did I was very drunk.

4644. By the *Committee.*] You must answer the question; will you swear whether or not you wrote that letter?—I cannot with conscience say it, because I have no recollection of doing it, because you see I am on oath.

4645. Mr. *Powell.*] Will you swear you did not write that letter?—I hardly can answer the question conscientiously, because I have no recollection whatever of that.

4646. It is not a question of conscience; upon your oath, will you swear you did not write that letter?—I have every reason to think I did not.

4647. Will you swear you did not?—No, I do not like to swear that.

4648. By the *Committee.*] Then you won't swear it?—No, I won't swear it.

Re-examined by Mr. *Sleigh.*

4649. When did you write this letter, which I find is dated March 17, directed to B. Lovibond, Esq. "Sir,—John Cheriton has this day been to me respecting the Bridgwater election. If I have to appear in London to give my evidence, I shall state the truth, and nothing more." Where did you write that; in Bridgwater or South Molton?—In the district of South Molton, but I do not live in the town of South Molton.

4650. How came you to write that letter?—To prove to Mr. Lovibond that Jack had been down there with me.

4651. Who is Jack?—John Cheriton.

4652. This is dated the 17th of March; when before the 17th of March had Jack been down to your place. You tell us that that letter was written in consequence of Jack being with you?—That is the first time he was down there.

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4653. When?—On the 17th of March.

4654. On this very day?—Yes.

4655. Was it upon the same day after Jack was with you, that you wrote that letter to Mr. Lovibond?—It might be the same day he was there.

4656. What took place between you and Cheriton on that day?—We went to the inn and had some beer.

4657. What did Cheriton say to you about the election?—Told me that his master said if I would come out like a man, and tell all I knew about the affair, he was to give me a guinea.

4658. How long was he with you at this place, where you were having ale?—Oh, I believe, he slept there; no, he did not sleep there, I do not think.

4659. Now as regards the other letter, you told the Honourable Members that if you ever wrote it you were very drunk?—Yes.

The *Chairman.*] What is the date of that letter?

Mr. *Sleigh.*] This is dated the 17th of March likewise.

4660. You say he slept at the public house?—I believe he did.

4661. How late that night were you there?—I dare say about 12 o'clock when I came away; it might be later.

4662. Had you a great deal to drink that night with him?—I had.

4663. Is it, or is it not the fact, that you were drunk that night?—I was, indeed.

4664. Now, do not let us have any more answers as to whether you wrote it or whether you did not, further than you have told us already; but if you did write it, have you the slightest recollection of having written it until you saw it here to-day?—Certainly not.

4665. By the *Committee.*] Could you usually write as well as that when you are very drunk?—Yes, I can write better when I am elevated a little, than I can otherwise.

4666. You can write better when you are drunk than when you are sober?—Yes, I am a little shaky otherwise; it stays the nerve.

4667. Mr. *Powell.*] Have you seen Mr. Boys since you have been in London?—Yes.

GEORGE HOOPER, sworn; Examined by Mr. *Sleigh.*

4668. IN whose employment are you?—Mr. Ritson's.

4669. You are an elector of the borough of Bridgwater?—Yes.

4670. Did you vote at the last election?—I did.

4671. For whom did you vote?—Mr. Westropp.

4672. A plumper?—A plumper.

4673. You know George Berry?—Yes.

4674. I believe he is one of the foremen in Mr. Wilton's establishment?—I believe he is; Brown and Co. it is.

4675. Now, did Berry come to your employer's establishment a day or two before the election?—He did.

4676. What passed between you; what did he say to you?—He came, and he said, "Oh, I understand that you have a screw put upon you;" I told him I was surprised at his making that remark to me; I gave him to understand it was no such thing as that, but he said, "I understood you were, because I was sent to tell you that if that was the case, there was a situation waiting for you; as I am going to leave my place, there is a situation that you can have, if you will vote for the other party." I told him I was surprised at his offering me a situation; I did not want a situation; in fact, I would not accept of it; I had a very good situation at present, and I did not want another.

G. Hooper.

4677. Did he mention who had sent him?—He said he was sent, as I am going to leave.

Cross-examined by Mr. *Hannen.*

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4678. Was any one present at this conversation?—No.

4679. Who is Berry?—He is a foreman for Brown and Co.

4680. A friend of yours?—Not a particular friend.

4681. Had you known him?—I had known him.

4682. For some time?—For many years.

4683. Had you been in the habit of meeting him?—I have met him, but not particularly.

4684. You have met him occasionally; known him for many years; and had conversation with him from time to time?—Yes.

4685. He knew of the employment you were in, and you knew what employment he was in?—Yes.

4686. How long had Berry been in that employment?—I should think for four or five years.

4687. And how long had you been in your employment?—About eight years.

4688. What wages were you receiving?—33 *s.* a week.

4689. What wages was he receiving?—I cannot tell.

4690. So that it amounts to this: he had never asked you what wages you were receiving?—He had not.

4691. Did you ever tell him that you were about to leave, or likely to leave your situation?—No.

4692. No conversation of that kind was mentioned to you?—No.

4693. And you say that, without inquiring what your wages were, and you, without knowing anything about it, suggested that another employment could be found for you?—Yes.

4694. Whom did you vote for before?—Tynte and Kinglake.

The *Chairman.*] Do you propose to prove agency on the part of Mr. Wilton?

Mr. *Sleigh.*] Oh, yes.

WILLIAM POOLE, sworn; Examined by Mr. *Sleigh.*

W. Poole.

4695. ARE you an innkeeper at Bridgwater?—Yes.

4696. I believe you keep what is called the "Bristol and Exeter Railway Inn"?—Yes.

4697. You know William Onion, do you?—Yes.

4698. Is Onion a person who works for Mr. George Knight, an employer of labour at Bridgwater?—Yes.

4699. Where were you when he came to your house upon the subject of the election; when was it, having reference to the nomination, which was upon Tuesday?—It was upon the Monday previous.

4700. He came to your house and saw you, did he?—Yes.

4701. What did he say to you, as nearly as you can remember?—He was there twice; he was there collecting, and then he came back to me a second time.

4702. When he came the first time, did anything pass between you?—No.

4703. What did he say to you on the second visit?—He came back, and he said he was sent down to me by a gentlemen of high standing in the town, and I must go back to the same party as I always was with; that is, the Liberal party.

4704. Is that what he said to you?—Yes.

4705. You always had belonged to the Liberal party?—Yes, previously.

4706. Upon this occasion for whom did you vote?—Mr. Westropp.

4707. Now, go on, and tell us what it was he said to you?—There was a bit of chalk on the table, and he says, "You put down the number that you would want, and you shall have it within half an hour."

4708. The number of what?—I do not know what he meant, that is all; there was nothing in money mentioned.

4709. By the *Committee.*] You had not the slightest idea what he meant?—It might have been 50 or 100, or what not; I cannot tell.

4710. Did it mean money?—I believe that it meant money.

4711. Mr. *Sleigh.*] Did you take the chalk, and write anything down?—No, I had promised Mr. Westropp.

4712. Did he say anything further when he told you to take the chalk and write down upon the board; you have got a son, have you not?—Yes.

4713. Go on, and tell me what he said?—I told him I had promised Mr. Westropp, and I shall do as I promised, and you know perfectly well for years that I have said, that if Colonel Tynte resigned I should leave that party directly.

4714. He asked you to write down, and you made an answer to him?—Yes.

4715. What was the answer that you made?—I told him that I should do no such thing; I had promised Mr. Westropp, and I should vote for him.

4716. What did you do with the chalk, or what did he do with the chalk; you did not write anything on the table?—No, I left the chalk on the table; he was not in the house five minutes.

4717. Now, in the month of March, in the present year, about the 19th or 20th of March, did you see anything further of this man Onion?—Yes.

4718. Where?—In my house.

4719. Did he say anything to you about the late election?—Yes; he was talking about the election, and about the promises that was made, before others, not only me; but he says he never would have done as he had done if he had not been deceived, and sent about to promise, and then there was nothing for the voters after the promise was made.

4720. That is what he said?—Yes.

4721. The promises were made, but there was nothing done in redemption of them?—No.

4722. Well, go on?—I believe that is very near the whole of it.

4723. Now, did he, in the course of the conversation, mention any person's name?—Yes, he did.

4724. Whose name did he mention?—That is the last time there was any talk about it; he said he should never have done so if he had not been sent by Mr. Wilton.

4725. Was

4725. Was anything said about a Speaker's warrant?—Yes, I called him in to show him this warrant that I had just had. He had been out of the house scarcely two minutes, only across the road, and I called him back, and there was two or three other persons standing in the passage, and I showed him this, and we were talking about the bribery concern, and he said, "Well, I never bribed no person;" but one of the men who was there, said, "You know that you have promised to get money." "Yes," he said, "I have, but it was Mr. Wilton that sent me; I should never have done it if it had not been for him, and it was a sham."

Cross-examined by Mr. *Powell.*

4726. You perfectly recollect this about the chalk and the table?—Yes.

4727. What sort of a table was it?—A kitchen table.

4728. About how big?—A tidy size; one, may be, as long again as this.

4729. You did not write any figure on?—Not at all.

4730. Perhaps the table was not large enough for your figure; was that the reason?—No.

4731. Then why did you not?—Because I did not feel inclined. If I was to promise you or or any other gentleman that I would do a thing I would do it.

4732. Now, there is no doubt at all about that; when you promise a gentleman that you will do a thing you always do it?—That is so.

4733. And you always have done so?—Yes.

4734. Then why did you not vote for Sir John Shelley?—I never promised Sir John Shelley; Sir John Shelley is in the room, and I never promised him.

4735. You mean to say that?—Yes, I do swear it.

4736. You have spoken about a son; how many sons have you?—I have two sons.

4737. Have you got one son named Charles John, and another named William?—Yes.

4738. You said that you voted before for the Liberals?—Yes.

4739. May I ask if anything had occurred in the interval to change your principles?—I changed them at the time.

4740. What time?—When I thought proper; I have a right, of course.

4741. When did you change your principles; at the time of the election?—At the time of the election.

4742. At the time of the last election you changed your principles?—Yes.

4743. Up to the time of the last election you had been a good Liberal?—As good as most, I believe.

4744. How many times had you voted for the Liberals; as long as you can remember?—Oh, no.

4745. As long as you have had a vote?—As long as I have had a vote.

4746. How long is that?—Ever since the Reform Bill.

4747. Perhaps you were imported into the constituency by that measure?—Yes, I was.

4748. And ever since then you have voted for the Liberals?—Yes.

4749. Was it the fear of the new Reform Bill that drove you into the other ranks?—No.

4750. I hope you are still a Liberal?—Yes, I am a Liberal still.

4751. Then you have been a Liberal now for 30 years?—Yes.

4752. I should like to know how it was that the Liberals came to offend you; how came you to vote for Mr. Westropp, having been a Liberal since the Reform Bill?—That is my business.

4753. By the *Committee.*] You told us that you have changed your principles, but you are still Liberal; I want to know the reason why you did that?—They all call themselves Liberals.

4754. Mr. *Powell.*] Why did you change your principles on the last election?—Not for money.

4755. Who ever suggested anything so horrible; you introduce dreadful ideas into this Committee room; what did you change your principles for?—That is my business.

4756. It is my business?—I cannot tell you; yes, I can tell you, if I like.

4757. I want to know what made you change your principles?—Because I preferred Mr. Westropp.

4758. Why?—He was the first that came, and he was the first that had my vote.

4759. First come first served?—Yes.

4760. And that was the reason you voted for him?—That was the reason.

4761. Was that the only reason?—I cannot exactly understand you.

4762. I think you can; you seem to be a very intelligent man; you change your principles?—A man has a right to alter his will when he thinks proper.

4763. How came you to change your principles on the last election?—You do not know whether ever I changed my principles at all or no.

4764. I do not believe you ever did?—I voted for Mr. Westropp.

4765. By the *Committee.*] You have already stated it yourself that you changed your principles at the last election?—Yes.

4766. Mr. *Powell.*] Now, how came you to change your principles?—Why, I could tell you, because I will tell you in a moment, that I did not like the party.

4767. Why?—That is sufficient, I should say.

4768. No, it is not; I want to know why?—I do not want to have any ill-feeling with any person in the world.

The *Chairman.*] We only want the truth, and we can have that without any ill-feeling.

4769. Mr. *Powell.*] Why did you change your principles?—I cannot tell you more than I have told you.

4770. Why, did you?—Why, because I preferred Mr. Westropp.

4771. Why?—Then how can I answer that; how am I to answer the why's.

4772. Perhaps I can brush up your memory; you say that you have a son called Charles John?—Yes.

4773. Now, was Charles John in your house with his brother on the day of the election?—It is very likely.

4774. Did Charles, in your presence, ask his brother William if he had been up in town?—I do not know.

4775. Just recollect yourself?—I do not know.

4776. Did William say to Charles in your presence, "Yes, I have been into Fred Harden's

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back house; I was offered by Fred Harden 10*l.*, but I said to him there was an agreement between me and Phelps that I and my father should have 20*l.* each"?—I never heard any such thing.

4777. Was anything said of that sort?—Not that I remember.

4778. Could it have been said in your presence when you and your two sons were together, without your hearing it?—I do not know that I saw Charles in the place for the day.

4779. I ask you about your sons and yourself; will you swear that on the day of the election you and your two sons were not together in the house, and had a conversation about the election?—Not before me.

4780. No conversation at all?—No, not the least.

4781. Did William say in your presence to his brother Charles, that he had received 20*l.* from Fred Harden, being 10*l.* for himself and 10*l.* for you?

Mr. *Sleigh* objected to the question, on the ground that it was with reference to something which was said by other persons, which may be true or may be false.

The *Chairman* stated that it was very much the same point as had been decided before with respect to corroborative evidence.

4782. Mr. *Powell.*] Now, did William say to Charles, in your presence, that he had received 20*l.* from Fred Harden, being 10*l.* for himself, and 10*l.* for you, his father?—No, I deny it.

4783. Did Charles thereupon say to you, "You know you promised to vote for Mr. Shelley, but probably Westropp's party won't give you anything unless you promise to vote a plumper for Westropp, and therefore you had better not split straws," or words to that effect?—No, never such words ever passed.

4784. Nothing of the sort?—Nothing of the sort.

4785. Now I ask you whether that was not immediately before you voted, and whether you did not go out from that room and go to poll a plumper for Westropp?—No, it is no such thing; I voted a plumper for Mr. Westropp.

Re-examined by Mr. *Sleigh.*

4786. Now, was your voting for Mr. Westropp, as you have told my friend, because you liked him better than the other party?—Yes.

4787. Now, you had always previously voted for the Liberals?—Yes.

4788. Was the reason for your voting for Mr. Westropp merely a personal preference for him?—Yes, nothing more.

4789. I daresay you are, as my friend was so anxious to ascertain, a Liberal, as regards politics, still?—Well, I believe so.

4790. Now, you are here upon your oath?—Yes.

4791. Is there any foundation whatever for the suggestion that has been made in cross-examination, that you received any consideration whatever for voting for Mr. Westropp?—No, I did not.

4792. Now, with respect to the alleged conversation that has been put to you so elaborately by my friend, between your two sons, did you hear one word of that which has been suggested pass between them in your presence, upon that day, or at any other time?—No, there never was; this is the first time I ever heard of it.

WILLIAM POOLE, junior, sworn; Examined by Mr. *Sleigh.*

W. Poole, jun.

4793. ARE you a tailor?—Yes.

4794. Do you reside at Bridgwater?—Yes.

4795. And you are one of the electors of the borough?—Yes.

4796. Now, on the Monday before the nomination day, did you see anything of William Onion?—Yes, twice.

4797. Upon the second occasion, did you see him go into the room where your father was?—No, I did not see him go in.

4798. Did you see him go towards the room?—Yes.

4799. Did you go into that room while he was with your father?—No.

4800. Were you in such a position as to be able to hear anything which passed while they were in the room?—Just outside the door, with the door open.

4801. Had you known Onion previously?—Yes, many years.

4802. You knew his voice?—Yes.

4803. Now tell us what you heard Onion say to your father, and your father to him?—Onion said he had been sent by a person of high standing in the town to ask father and me to come back to the old colour; and what he wanted he should have, and he was to haul in the blue flag.

4804. Had he had the blue flag hanging out?—Yes, and he said what he wanted he should have within an hour; he need not say, but he could write it down with chalk that was on the table.

4805. Did you hear your father make any reply?—He told him that he would do nothing of the kind; that he knew he had promised to vote the other way, after the retirement or death of Colonel Tynte.

4806. Did you hear anything else pass between them?—He told him he should come down again, and he was to consider.

4807. Who said that?—Mr. Onion.

4808. Now, when Onion was going away, did you happen to see him?—I was at the door when he came out.

4809. What room was it?—Father was in the kitchen.

4810. Did he say anything to you when he came out?—Yes; he said, "I have been speaking to the old gentleman about you and him coming back again;" I told him it was no use; that we had promised Mr. Westropp, and he said "You think it over with the old gentleman, and I will come again;" and I told him again it was no use.

4811. How did you vote?—For Mr. Westropp.

4812. Were you canvassed for your vote by the other party?—By Sir John Shelley.

4813. Were Sir John Shelley and Mr. Kinglake together?—In the same party.

4814. Who was with them, or were they alone?—I think there were seven or eight gentlemen.

4815. When they canvassed you?—Yes.

4816. Did you promise them, or either of them?—Neither of them.

4817. Tell

4817. Tell me the names of some of the gentlemen who were with the honourable candidates?—Mr. Thomas Hill, Mr. Henry Lovibond, Mr. Wilton, and Mr. Paul Reed; I do not recollect any of the others.

4818. Do you remember how long before the nomination day it was that they canvassed you?—I do not recollect exactly.

4819. Who did you vote for on the former election?—No person.

4820. Had you a vote then?—No, I did not reside at Bridgwater.

4821. You promised Mr. Westropp, and you voted a plumper for him?—Yes.

Cross-examined by Mr. *Powell*.

4822. Where was it that your father and Onion were talking?—In the kitchen.

4823. Where were you?—Just outside the kitchen door.

4824. What were you doing?—I went in to have a glass of ale.

4825. Into what room?—I stood by the door; I did not order the ale.

4826. Is it a beer shop?—A public house.

4827. Then you went outside the door?—I stood outside the kitchen door in the passage.

4828. What did you go there for?—To the bar.

4829. What for?—For some ale.

4830. Were you listening to what was going on?—Yes.

4831. You went there, perhaps, to listen?—No, I had no idea of such when I went.

4832. No idea of what?—No idea of listening.

4833. I suppose Onion knew that you were a voter as well as your father?—Yes.

4834. Did he say anything before you went out of the room?—I was not in the room.

4835. Then you had not been in the room with him at all?—No.

4836. Did he know that you were behind the door?—I do not suppose he did.

4837. How came he to speak to you afterwards?—I met him at the door. He came out of the door as I stood there.

4838. Did he come in by the same door as you were standing by?—He went into the kitchen that way, through the passage.

4839. Did you come in afterwards?—I went into the house after Onion.

4840. You were standing there when he came out?—Yes.

4841. You have a brother, named Charles, have you not?—Yes.

4842. Do you work for Edwin Phillips?—Yes.

4843. He is, I presume, a master tailor, and you are a journeyman?—Yes.

4844. Did you ever tell your brother that Edwin Phillips had offered you 20 *l.* for your vote?—No.

4845. You never did?—I never did.

4846. Did you ever have any conversation with him previous to the election about Edwin Phillips?—Not that I am aware of.

4847. Do you think it is probable that you had no conversation with your brother previous to the election about the election?—I do not recollect such a thing at all.

4848. Did you ever tell him that Phillips had told you that he did not think it would run to the amount he had offered before, but it would be about 10 or 15?—No.

4849. Nothing of the kind?—Nothing of the kind.

4850. Did you say, "Well, if it does not run to that, I shall not bind myself to vote"?—Never.

4851. Do you remember the day of the election?—Yes.

4852. Were you and your brother at your father's house previous to your father's voting?—Yes, very likely.

4853. I want to know as a fact?—I could not say.

4854. Do you remember your father's going to vote?—Yes; I went up with him.

4855. Now, I ask you whether you were not in his kitchen with your brother Charles before he went to vote?—Very likely; but I am not sure.

4856. Did your brother ask you if you had been up in the town?—I do not know that I saw him.

4857. Will you swear you did not?—I cannot swear either way.

4858. Did you tell him that you had been to Fred Harden's back house, and he had offered you 10 *l.*?—No.

4859. You swear that?—Yes.

4860. Did you tell him that there was an agreement between you and Phillips that you and your father should have 20 *l.*?—No.

4861. Nothing of the sort?—Nothing of the sort.

4862. In fact, so far as you are concerned, perhaps you will swear that there was no conversation at all before you and your father went to vote?—I will not swear that he was there.

4863. Will you swear he was not there?—I cannot swear that; but there was no conversation of that kind.

4864. You did take your father to vote?—Yes.

4865. Had you voted yourself before?—Yes.

4866. Why did not your father go with you?—Because he had told Mr. Westropp he would vote about half-past 11 or 12.

4867. Did you call upon him before he went to vote?—Not that I am aware of.

4868. Then how do you know he would not go till then?—He told Mr. Westropp he would not go till 11 or 12 o'clock.

4869. That is no reason why you should not ask him?—I did not ask him, because I knew he would not go.

4870. Why did you go with him to the poll?—I went to please myself.

4871. But you had been to vote?—Yes.

4872. Was there any special necessity for your voting before half-past 11?—Nothing particular; but Mr. Westropp asked me to come early.

4873. You did not go with your father to vote?—No.

4874. Did you go to the poll with him after you had voted?—Yes.

Re-examined by Mr. *Cooke*.

4875. You were asked to go and vote early, and you did so?—Yes.

4876. Then having heard your father say he would not vote till between 11 and 12, you went up with your father to the poll?—Yes.

4877. I suppose you did not go inside, but stood outside?—Well, I do not recollect.

JAMES ALDRIDGE, sworn; Examined by Mr. *Cooke*.

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4878. WHAT are you?—An Iron Moulder.

4879. Were you a voter at Bridgwater at the last election, and did you vote for Mr. Westropp?—Yes.

4880. Do you remember Sir John Shelley calling at your house a day or two before the poll?—He did.

4881. Who were with him?—Mr. Paul Reed, the solicitor.

4882. About what time of day was it?—I believe it was between one and two.

4883. Was it your dinner hour?—I believe it was; it was when I was home.

4884. Are you absent from home the greater part of the day?—I am.

4885. And you get to your house during the hour of the day which is allowed for dinner?—Yes, and leave off at six.

4886. Was it during the middle of the day or after six in the evening that this visit was paid?—I could not say; it was either one of them.

4887. They called at your residence, not at your place of work?—Yes.

4888. Were you canvassed to vote for the honourable baronet?—I was.

4889. What did you say?—Mr. Reed introduced Sir John Shelley to my notice, and he said, "I hope you will support him." I said "there was a consideration about that." He asked, "What consideration?" and I said, "A great consideration." He said, "Who do you work for?" I said that did not matter. He said, "Give your vote to Sir John Shelley, will you?" I said, "No; there is a consideration." There was then a pause, and Sir John Shelley advanced to the door—we were in the passage, and the door was on the jar. He just stepped outside, and Paul Reed stepped outside also, but did not close the door exactly, and before I could leave the passage, as I was stepping back, he said, "Here, I have two or three railway appointments, at 70*l.* a year; I will get your son into one of them, or I will give him a berth in my office." That was previous. Before Sir John Shelley moved, he said, "Where does your son work?" I said, "At Messrs. Ruddick & Co., solicitors." He said, "Is there any obstacle there?" I said, "No." He said, "Because, if there is, I will give him a berth in my office, and I treat all my clerks as myself until they get married;" and that ended that.

4890. Then you say that Sir John Shelley got outside the door, and this railway appointment was mentioned?—Yes, after that.

4891. Now, after he had said this about the railway appointment, what answer did you make, if any?—I said I could not promise.

4892. Then did they move away a little from the door?—They went to the door.

4893. Did Reed come back after Sir John Shelley moved away?—Yes, Sir John Shelley advanced to the door, and moved outside, Paul Reed close after him, and just as the door was at the close, he said, "I have got three railway appointments, and I will get your son into one of them."

4894. What did you say to that?—I said I could not promise.

4895. Did they move away from the door, after you had said you could not promise?—Paul Reed opened the door again, and said "Remember what I have said."

Cross-examined by Mr. *Powell*.

4896. This conversation about your son was before the conversation about the railway appointment?—Yes.

4897. And before Sir John Shelley went to the door he conversed about your son?—Oh, yes.

4898. Who was in the room while the conversation was going on?—It was in the passage.

4899. Who was in the passage when the conversation about your son and Ruddick's was going on?—Sir John Shelley, Reed, and me.

4900. Who also was there?—No one.

4901. I thought you told us just now, that Mr. Lovibond was there?—No, I did not.

4902. Was anybody else there?—No.

4903. Were you canvassed by anybody else on that occasion, that day?—No.

4904. Did you see Mr. Henry Lovibond there?—No.

4905. Did you see Mr. Kinglake there?—No.

4906. What time of the day was it?—It was either after six, or between one and two.

4907. You know a conversation about a railway appointment of 70*l.* a year does not occur to you every day in your life?—No.

4908. How many sons have you got?—Three.

4909. Tell me, was it between one and two, or between six and seven?—It must have been one or the other, but I cannot say positively.

4910. Which do you think it was?—Well, I should think it was between one and two, but I will not swear.

4911. What day was it?—I cannot say the day; it was two or three days before the day of the election.

4912. You cannot say anything nearer than that?—No, I did not make a note of it. I did not think there would be anything come of it.

4913. You say that Mr. Reed introduced Sir John, and hoped that you would support him?—He did so.

4914. Do you say that in Sir John's presence you asked what consideration?—Most undoubtedly I did; I told him that there was a consideration about it.

4915. Was the conversation between you and Mr. Reed about the consideration, in the presence of Sir John Shelley?—It was.

4916. Was anyone else present except Mr. Reed, Sir John Shelley, and yourself?—No.

4917. Nobody at all?—No.

4918. That you are quite clear about?—I never saw anyone else.

4919. This was in the passage?—Yes.

4920. The front door, I suppose, opens into the passage?—Yes.

4921. And I suppose the front door was open?—I do not know whether it was or not; I was in the kitchen when they came to the door, and I went out to see them, I was told they were very handy.

4922. Who told you they were handy?—The people were about, and my children ran in and said, "There is So-and-so, and you may expect them here directly."

4923. What children?—My own children.

4924. Which of them?—Two or three of them; they were out looking about.

4925. How came you to know they were in the neighbourhood?—The children told me, and

and my wife also; they said, "There is So-and-so a door or two up, and they will be here directly."

4926. Was it your wife told you, or your children?—All together.

4927. Did you go to the door to see who was canvassing?—No.

4928. Not at all?—Not to look outside the door.

4929. When your wife and children told you that the gentleman were two or three doors off canvassing, did you go to your door to see who was canvassing?—No, I remained until the knock.

4930. Did you open the door?—No, I did not.

4931. Who did?—They.

4932. Did you meet them in the passage?—I did.

4933. Do you mean to say that when you were canvassed, Sir John Shelley and Mr. Reed were the only persons there?—I do.

4934. Did your wife remain in the kitchen?—Yes.

4935. She heard the whole of the conversation?—Not that I know; she heard part of it.

4936. Is she here?—No; she could not help hearing some of it.

4937. When did you first make any statement about this?—Why, I told it in the shop when I heard there was bribery going to be proved against Mr. Westropp; I said if they were to prove one thing one way, I considered that offering situations was just as bad as giving money; that is what I considered.

4938. But you never did tell it to anybody until you heard that they were going to proceed against Mr. Westropp?—No, not to tell anybody; we discussed it in the shop among the men.

4939. Now tell me the name of any person who is now a witness in London, to whom you said anything about this until you heard about this petition against Mr. Westropp?—Probably I said it out in the garden to my neighbours.

4940. Are they here?—Yes, my neighbours are here, I suppose.

4941. When did you have your statement taken down in writing?—It may be a week or a fortnight ago, perhaps.

4942. That is the first time it was taken down in writing?—Yes, more than a week, it would be a fortnight ago.

Re-examined by Mr. *Cooke*.

4943. Was it a week or a fortnight, or more or less?—More than a week; a fortnight, I should say.

4944. I understand that you discussed it with your neighbours, and then afterwards you told some one about it?—Yes.

4945. Did you mention it to Mr. Ruddick?—Yes. *J. Aldridge.* 23 April 1860.

4946. I understand that you went from the kitchen to meet the party as they opened your door?—I did.

4947. I suppose you have one of those brass handles which turn round?—Yes; just to turn the latch.

4948. Your passage is not, I suppose, a very wide one?—No; about three feet wide.

4949. What number of windows has your house?—Only one in the parlour.

4950. And two upstairs?—The room runs across the whole way upstairs.

4951. You only saw Sir John Shelley and Mr. Reed in the passage?—That is all.

4952. How many years have you lived in Bridgwater?—I should say 45 or 46.

4953. Have you been in the business you follow all that time, from a boy?—I have, since I have been able to work.

4954. And you are a married man, with your wife living, and a family?—Yes.

4955. By the *Committee.*] Now be careful how you answer this question. You have stated that Sir John Shelley was present when the word "consideration" was used between you and Mr. Reed?—Yes.

4956. Was Sir John also present when Mr. Reed stated to you, "I have two or three railway appointments of 70*l.* a year, and I would give one of them to your son," or words to that effect?—Just outside the door on the step, the door being a-jar; I could distinctly see Sir John at the step when that was said.

4957. Did Sir John hear, or did he not hear?—He must have heard, because he was no further behind his back than I was in front.

4958. Sir John Shelley must have heard that remark if ever it was made?—Yes.

4959. Something passed between you and Paul Reed, about a place for one of your sons?—Yes.

4960. Was Sir John Shelley in the room when that was said?—Oh, yes.

4961. Not on the other side of the door, but he was present in the room?—It was in the passage; he did not go into any room, it was just inside the front door.

4962. Was he in the same place as when Mr. Paul Reed spoke about the railway appointment; was he in the same place both times?—When the railway appointment was spoken of, he was just outside the door on the step; he moved to the door, and Mr. Paul Reed turned round, with the handle in his hand, and he said, "I have two or three railway appointments;" and I could distinctly see Sir John Shelley standing on the step.

4963. When Paul Reed spoke to you about giving your son an appointment in his office, Sir John Shelley was in the room with you?—Yes.

John Wescott, sworn; Examined by Mr. *Sleigh*.

4964. Do you live, now, at Bridgwater?—No, at Burnham. *J. Wescott.*

4965. That is in the same county?—Nine miles from it.

4966. At the time of the last election for Bridgwater, you were ostler at Phelps's Commercial Hotel, at Bridgwater?—I was.

4967. I believe there was a committee-room there?—Yes.

4968. Were there placards in front of the hotel?—Yes.

4969. And orange and buff flags hanging out of the window?—Yes, there was a flag.

4970. Do you know Mr. James Cooke?—I do, very well indeed.

4971. Was he there at that time?—He was.

4972. Did you act as coachman to some extent?—Yes,

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—Yes, in general; that is, I always took my first turn.

4973. Did you, during the election, drive every day?—Excepting one or two days.

4974. You remember, I daresay, the entry into the town of Sir John Shelley and Mr. Kinglake?—Yes.

4975. Was Mr. James Cooke with them when they drove up to the hotel?—That I will not have anything to say about.

4976. Was he at the hotel with them that day?—I saw Mr. James Cooke at the hotel.

Mr. *Powell* admitted that Mr. Cooke was a paid agent on behalf of Sir John Shelley.

Mr. *Royston* made the same admission on behalf of Mr. Kinglake.

4977. Mr. *Sleigh.*] Mr. Phelps is the proprietor of the hotel?—Yes.

4978. Was Mr. Cooke at the committee-room almost every day, and at night particularly?—I have seen him there most evenings.

4979. Did you take orders from Mr. Cooke?—Yes.

4980. Did you keep an account of the number of occasions when you went out to drive for Mr. Phelps?—My wife did.

4981. Was that from your instructions from time to time?—It was.

4982. I suppose that is an account for you to charge as coachman?—That is right.

4983. Is that in your wife's writing (*handing a document to Witness*)?—It is.

4984. The entries which are made on that piece of paper were made from time to time by your telling your wife so to make them?—They were.

4985. Mr. *Hannen.*] Were they made in your presence?—They were.

4986. Mr. *Sleigh.*] Now is it the fact that you drove for Mr. Phelps on the 2d, 3d, 4th, 6th, 8th, 9th, 10th, 12th, and 13th days of July?—Yes.

4987. Altogether were you paid these amounts for driving?—There were other charges brought in with it; I was paid 3*l.* odd, but that was not all for electioneering driving.

4988. What I am talking of now is simply what you charged for election driving, as you call it?—Well, I was paid 5*s.* 6*d.* a day.

4989. Were some of these items which are mentioned here for the election matter, and some of them for other matters?—Yes.

4990. Now, take that account in your hand, look through those items and tell me, supposing that all the work was performed which is set forth in that account, what would be the fair charge for the work so done; all that you drove during the election?—I should think about 15*l.*

4991. Now from the time that Mr. Kinglake and Sir John Shelley arrived, until the close of the election, you have told us that Mr. Cooke was there repeatedly?—He was.

4992. Did he, from time to time, give orders for refreshment?—I have seen him give orders once for refreshment.

4993. Upon the nomination day did you see the voters, and every one who came to the house, having refreshment?—I have seen them drinking.

4994. Spirits and beer?—No, I did not see any spirits; nothing but beer that day.

4995. Did you see the persons who came in to drink beer pay anything for it?—I did not.

4996. Were you in and out during the whole of the day?—I was.

4997. What did you hear Mr. Cooke order upon the occasion when you say you heard him order something?—That was after Mr. Cooke had been up and hoisted the colours out of the window with Mr. Phelps; he came down and ordered two or three bottles of champagne.

4998. Of whom was the company composed?—There was Mr. Phelps and several other gentlemen whose names are unknown to me.

4999. You have told us about the nomination day, and the people coming in and out and drinking and not paying for it; now upon the polling day did you see people drinking in the same manner?—I did see parties in the kitchen.

5000. Did you see them pay anything for what they had?—I did not.

5001. Upon that day, did you see your master, Mr. Phelps, and did you see Mr. Cooke speaking to him, and did you hear what they said about drink?—I heard Mr. Phelps asking Mr. Cooke something about the drinking; I happened to come out on them, and Mr. Cooke said, "All right, George, go on; it is all right."

5002. Now upon the polling day do you remember Mr. Cooke driving up in a dog-cart and speaking to you?—He was up there before I came up.

5003. When you came up did he speak to you?—He spoke to Sir John Shelley; Sir John called him, and he went across.

5004. After having spoken to Sir John, did he come to you?—He did.

5005. What did he say?—He said, I must go back to the hotel, and there stop until further orders.

5006. About what time of the day was this?—About nine o'clock.

5007. How soon afterwards did Mr. Cooke desire you to go somewhere and do something; to go and see Mr. Heal?—I think it was somewhere about ten in the morning.

5008. By the *Committee.*] Of the polling day?—Yes.

5009. Mr. *Sleigh.* Now tell me what Mr. Cooke said to you?—Mr. Cooke drove down in the dog-cart, and he called me on one side and said, "I want you;" I went over to him, and he said, "I want you to go to the 'Bridge Hotel,' down to Mr. Heal." I said, "I do not know exactly where the man lives;" and he said, "At the 'Bath Bridge Hotel.'"

5010. By the *Committee.*] Was Mr. Heal the landlord of the "Bath Bridge Inn"?—He was; he said, "I want you to go down and tell him that he must not depend on me; give my name, and say, if he can do any good for himself by going on the other side, he is to do so.

5011. Did you go to Mr. Heal's?—I did.

5012. How?—With the dog-cart that Mr. Cooke was driving.

5013. Did you find Heal?—I did.

5014. Tell us what you said to Heal?—Mr. Heal was putting on his collar or scarf, or something; I said, "Mr. Heal;" he said, "I am coming;" I said, "I want to speak to you; I have got a message for you from Mr. Cooke, and you had better come in the other room," as there were some parties there; the old gentleman was hesitating, and the parties left, and I went in to him.

5015. When you went into the room, were you alone?—No, the gentleman that was riding with Mr. Cooke went down with me. I told Mr. Heal that Mr. Cooke sent me down to say he was

was not to depend on him; if he could do himself any good by going on the other side he was to do it; and he said, "Oh dear, oh dear! however can he serve me so; what an abominable shame, after what I have done for them; I have worked night and day for them."

5016. He seemed to think it was ingratitude?—I suppose so.

5017. While he was going on with his lamentations, what did you say to him?—I asked him whether I should drive him up to see Mr. Cooke, and he declined riding; he said he would rather walk. So the gentleman who went down with me said, "Will you take anything, driver?" and I said, "Oh, I thank you;" and I had a glass of beer.

5018. What was Mr. Heal saying all the time?—He said, "Oh dear, oh dear!"

5019. Did you leave him crying out "Oh dear, oh dear!"?—I did.

5020. Did you go back to the "Commercial Inn," then?—We drove back again.

5021. Now, in the course of the day, when you got back to the "Commercial," soon after you got back, did Mr. Phelps, your master, say anything about the drink to you?—No, I heard Miss Foster tell him that there was some more drink wanted.

5022. Miss Foster is one of the young ladies who attend to the bar?—She is.

5023. What did Mr. Phelps say then?—He said he could not send up any more.

5024. Did he say what for?—There was a gentleman came down stairs, with some top-boots on, and he said, "George, there is more drink wanted upstairs," and he said, We cannot send up any more, there is plenty up there."

5025. Did he say why?—He did not to that party, but after that party had gone out he said to Mrs. Phelps and Miss Foster, "I had orders from Mr. Cooke not to go on too sharp."

5026. I suppose you knew the men who were Sir John Shelley's supporters and canvassers; did you see them come in during the day?—I cannot say that I did, any of the canvassers.

5027. Did you see people coming in and having drink?—Well, I did see plenty of people.

5028. Did you see them pay anything for it?—I never saw them pay anything there that day.

5029. By the *Committee.*] Were you there looking about?—I was posted there with the traps until after dinner.

5030. You were waiting at the door?—Yes, I had my traps outside, and I was standing at the bar.

5031. Could you see the parties as they went in and came out?—Yes.

5032. Might they have paid without you seeing them?—There may have been parties about the house who could have paid without me seeing them, but I saw different parties coming to the bar, and drinking without paying.

Cross-examined by Mr. *Hannen.*

5033. You say you did not know that they were canvassers. Did you know who they were?—No, I did not.

5034. Your duties were entirely confined to the stables and the flys?—Yes.

5035. You were standing at the door?—I was standing at the door that day.

5036. You saw some people go in?—Yes.

5037. You are not in Mr. Phelps's employment now?—No.

5038. You are fond of a glass yourself, are you not?—Oh yes, I can drink a glass with any gentleman.

5039. Rather more than is good for you?—No, nothing more than does me good.

5040. But you have been dismissed from Mr. Phelps's service, have you not, because you drank?—No.

5041. You have been dismissed his service?—Not for getting intoxicated.

5042. But something like it?—Not at all.

5043. You have been dismissed?—Yes.

5044. And you are fond of a drop?—Yes.

5045. Just take this paper in your hand, and read the first item?—I cannot read.

5046. You did not tell that to my friend when he put it into your hands?—But it is the account that I was alluding to; I could not read it.

5047. Then of course you have not seen any account, and you have no recollection of the particular number of journeys that you made?—Yes, I have; some of them I know where I drove, the longest journeys.

5048. But you do not remember the journeys?—I know what the charge is.

5049. Do you remember all the journeys, and all the days that you were engaged; that was put down by your wife, was it not?—It was, as the job was done; I saw it put down my own self.

5050. Who makes the charge?—My master and mistress, and sometimes the daughter.

5051. Did you show them your book about it?—I had to show them my bill, but they had to take half the days of the months, for they had not the right ones.

5052. Was your book shown to your employers to know what journeys you had been?—It was.

5053. Now you say the colours were hoisted, what day was that?—I would not swear what day.

5054. Was it before the nomination?—Oh, yes, long before.

5055. Who were the people there on that occasion?—Mr. Cooke was there.

5056. And friends of Mr. Cooke?—Yes, because they were so jovial, and he treating them to champagne.

5057. You do not remember any of them?—No; they were in the inside room; I did not see them.

5058. When you say you were sent with this message by Mr. Cooke, did he tell you what it was in answer to?—No; no more than that he was not to depend upon him; that is all.

5059. Did he tell you what the message was in answer to?—No, he did not.

5060. And you don't know what it was?—No, certainly not; I delivered the message, as he told me.

5061. Was that all he said?—That is all he said to me—what I have said.

5062. Now with regard to the people upstairs, do you know at all who the people were who were upstairs?—I saw one of the party; a gentleman in top-boots was the only party I saw.

5063. Who is he?—Mr. Granville.

5064. What is he?—A plumber and glazier, I think.

5065. Do you know anybody else who was there?—No; but I saw plenty of people in and out.

5066. Now when you said about 15 *l.* was enough

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enough money, what was it enough money for?—For the traps.

5067. That is the traps that had been used at the "Commercial Inn" for the time?—For the time.

5068. And you have kept an account as against your landlord of your charges as driver for the traps?—Yes.

5069. Fifty-five pounds would be a very large excess?—I should think it would.

5070. That is a thoroughly "liberal" charge, is it not?—Yes, indeed.

Mrs. Mary Wescott, sworn; Examined by Mr. *Cooke*.

Mrs. M. Wescott.

5071. Your husband, we have been told, was ostler at the "Commercial Hotel" at the last election?—Yes.

5072. Look at that paper; is that in your handwriting (*handing a paper to the Witness*)?—Yes.

5073. Did you make those entries from time to time as you were directed by your husband?—Yes.

5074. Now were you at the "Commercial Hotel" assisting during the election?—Not at the election.

5075. I do not mean on the polling day, but while the canvassing was going on?—Yes.

5076. Were you there more than one day before the poll?—No.

5077. Can you tell me how many days before the poll that was?—No, I cannot tell.

5078. Was it a day, or two, or three days before?—I have no idea.

5079. By the *Committee.*] You were only there one day?—Only one day.

5080. Was that the day of voting, or the day before the voting?—I cannot say; but I think it was while they were canvassing.

5081. Mr. *Cooke.*] What led to your being there; who asked you to come?—Mrs. Phelps.

5082. Did you, in consequence of her request, go there?—Yes.

5083. What did she ask you to do?—To assist at the luncheon.

5084. Just tell us what you did?—I helped to clean the plate.

5085. Did you go and buy any of the provisions?—Some meat.

5086. That was on Mr. Phelps's account?—Yes.

5087. What time of the day was the luncheon?—It was ordered for two o clock.

5088. And I suppose began some time after?—It was later than two.

5089. Was there a large table laid?—Yes.

5090. In which room?—In the long room.

5091. Is that upstairs?—Yes.

5092. Did you assist in laying the luncheon?—Yes.

5093. Was the table the length of the long room?—Yes.

5094. Were the proper quantities of dishes and things put there?—Yes.

5095. Was it a cold luncheon?—Yes.

5096. Now I suppose the guests came in in the course of time?—Yes.

5097. Was the table filled?—Yes, I believe it was.

5098. You helped to wait?—Yes.

5099. Were all the seats occupied?—I could not say.

5100. Some got up, and others came in?—Yes, I think so; I was not in the room the whole of the time.

5101. Who took the chair at the top of the table?—I know one gentleman who did.

5102. What is his name?—Mr. White.

5103. What is he?—A pastry-cook, or he was at one time.

5104. Perhaps he is a gentleman now?—I suppose so.

5105. Do you mean that they changed chairmen; that there was first one and then another?—No, I think not.

5106. What had they to drink?—All sorts of things; champagne and many other things.

5107. Amongst the people, did you see Sir John Shelley there?—Yes.

5108. I hope he did not drink champagne?—He drank tea.

5109. Was Mr. Kinglake there too?—Yes.

5110. Did he drink the health of his friends in coffee?—I cannot say; I believe it was tea.

5111. Did you help to pour out the hot water?—No.

5112. Where did the teapot come from?—They brought it from down stairs.

5113. Was Benjamin Lovibond there?—Yes.

5114. And Paul Reed?—Yes.

5115. And Mr. Simmonds and Mr. John Smith?—Yes.

5116. Now, did they all come in and sit down at one time, or did fresh people come in?—I think they kept on coming in and going out.

5117. Had you much to carry away from the table when it was all over, or where they pretty hungry?—There was a good deal to carry away.

5118. I suppose you mean bones and scraps?—No, meat.

5119. What, a lump of beef, or something like that?—Yes.

5120. Did the ham and chickens all go, and the salads?—I cannot tell; I did not remove it all.

5121. What did you remove?—Not any of the meat.

5122. Did you see anybody pay?—No.

5123. Did people order what they seemed to fancy?—I believe so.

5124. And it was given to them?—Yes.

5125. Did anybody have tea except the two candidates?—I do not know.

5126. Was the cloth removed?—Yes.

5127. Did any persons come in after the cloth was taken off?—Yes.

5128. And was something brought back for them?—Yes.

5129. How late did you have to stay at the hotel that night?—About eight o'clock in the evening I went home.

5130. I believe you did not stop to see whether they were sober or not?—Oh dear, no!

5131. Did you hear the cheering afterwards?—No, I did not notice that.

5132. You went down, I suppose, to help to clean things?—I was in another room on the same floor.

5133. What was going on there?—Washing up the dirty things.

5134. Can you at all tell us about how many days before the voting this was?—No, I cannot.

5135. Is

5135. Is this long room a good sized one?—Yes.

5136. By the *Committee.*] How many people might have been at the luncheon?—I cannot say.

5137. How many; give us an idea; you say it was a good sized room; was there 10 or 20?—Quite that, I should say.

5138. Forty?—Not so much as that.

5139. Perhaps about 30 people might have been there?—I think about 20, but I cannot say that they all sat down at once.

5140. Mr. *Cooke.*] Do you think that there were 40 people there?—Oh, yes, more than that, I should think.

Mrs. M. Wescot.

23 April 1856.

Mr. GEORGE HEAL, sworn; Examined by Mr. *Sleigh.*

5141. ARE you the landlord and proprietor of the "Bath Bridge Hotel"?—I am.

5142. You are an elector of the borough?—I am.

5143. I believe you voted at the last election for Mr. Kinglake and Sir John Shelley?—I did.

5144. Now, was there a committee-room at your house?—No.

5145. Do you know Mr. James Cooke, the lawyer?—I do.

5146. Was he at your house repeatedly during the election?—Not at all; never once from the dissolution until after the election, and I do not know that I have seen him three times from that time to this.

5147. Just tell me did Sir John Shelley's valet, William Mudgett, reside at your house during the election?—No.

5148. Did he not live there?—No, nor yet board.

5149. Am I to understand that you do not know him?—Oh, yes, I know him.

5150. Do you know him as a visitor at your house repeatedly during the election?—He was there a few times; he may have been there half-a-dozen times or less.

5151. Do you remember the night before the election his being there?—No, I do not think he was.

5152. Just try and remember?—Well, I cannot; you might as well ask me what I had for dinner that day.

5153. You might be able to tell me that, perhaps?—I cannot; he was there between the dissolution and the election, but whether he was there that day I cannot say.

5154. Try and tell me?—I cannot; on my oath I cannot tax my memory; I know he was there.

5155. Suppose I try and refresh it?—It is useless.

5156. Do you mean you will not tell me?—On my oath I cannot.

5157. But you will not try?—How can I say if I do not know.

5158. Will you listen to me, and let me see if I can refresh your memory; do you think that is impossible?—It is for me.

5159. Do you remember, on the night of the nomination, there being several people in one of the rooms of your house drinking?—There was people there between the dissolution of Parliament and the general election.

5160. I am sure I hope so for your sake, or else you might put up your shutters; you know very well what I am asking about; the night before the election, the nomination night; were there not a very large number of persons there then?—No, there never was more than a dozen there at once; sometimes not that.

5161. But during that evening, between six o'clock and midnight, were there not many dozens of persons in your house?—No, there was not, for my hours are 11 o'clock, and I was not justified in keeping open after.

Mr. *G. Heal.*

5162. Justified or not, upon the night of the nomination was not your house open until considerably past 11 o'clock?—It may have been, but it was not open until 12.

5163. Do you mean to tell the Honourable Members that your house was not open until two o'clock the following morning?—What night was that?

5164. You see you are not attending to me, and it is very evident that you will not attend; upon the night of the nomination was not your house open until past 12 o'clock, and until two o'clock in the morning?—No, I am not aware that it was.

5165. Will you swear it was not?—I am not aware that it was.

5166. Will you swear it was not?—I am not aware that it was.

5167. *Chairman.*] You must answer the question?—I cannot.

5168. Mr. *Sleigh.*] You cannot swear one way or the other?—No, I cannot.

5169. Will you swear that it was not open until three o'clock in the morning?—One night it was, but not that night.

5170. Which night was that?—That was the night before the election. That had nothing to do with the nomination day.

5171. Are you talking of the night of the day upon which the nomination occurred?—I do not know anything about that. I believe my house was only open until between 11 and 12 o'clock except the night before the election. People were there the greatest part of the night, but it is no use drawing my attention to anything else.

5172. When do you call the election?—I think it was on the 12th, your honor.

5173. You say the house was open the greatest part of the night. Was it not open all the night?—They were not there all the night. They were not there after two or three o'clock.

5174. Now during that night, were people in and out drinking in your house?—They were, and eating. I do not mince the matter; I am not come here to tell an untruth.

5175. I have not said that you are?—If you ask me anything that I know, I will tell you.

5176. During that night was not Sir John Shelley's valet, William Mudgett there?—I do not know.

5177. Did you see him there or not?—My impression is that he was not there.

5178. Did you see him there that night?—I did not to my knowledge.

5179. Will you swear that you did not?—Well, I believe that I did not.

5180. Will you swear that you did not?—My impression is that I did not. You may just as well

Mr. *G. Heal.*

23 April 1866.

well ask me what I had that day for dinner, I cannot tell. What had you for dinner on that day?

5181. Do you want me to tell you, what I had for dinner on the day of the election?—You may just as well ask me.

5182. Now I ask you whether you will undertake to swear, that you did not see and speak to Mr. Mudgett at your house on that night?—I believe I did not.

5183. Will you swear you did not?—My impression is such, that I cannot tell more than that.

5184. Which of the rooms in the house was it in which these people were drinking, were they up and down, above stairs and downstairs?—Yes, of course they were.

5185. In and out during the whole of the night?—It was not like that, there might have been a dozen or twenty in and out, but it was not at all like what you are enumerating.

5186. Do you know Mr. Jobson?—Yes.

5187. Was he there?—He was there once or twice, but I cannot pretend to say he was that night.

5188. Was Mr. Roberts?—Yes, Mr. Roberts was there.

5189. You see you can answer?—I can answer, but I cannot tell exactly the night.

5190. Was Mr. Stacy there?—He was.

5191. Was Mr. Hodge there?—Both Mr. Hodges; but I cannot tell you what night.

5192. Have you got your books with you?—I have.

5193. What book?—The drink book.

5194. Who keeps it?—My wife and daughter.

5195. Is your wife or your daughter here?—No, neither of them.

5196. Then you need not trouble yourself about that. You know Wescott, do you?—What is he?

5197. The ostler?—No, I do not.

5198. By the *Committee.*] You do not know Wescott, the ostler at the "Commercial"?—No, not that I am aware of.

5199. Mr. *Sleigh.*] Surely you know Wescott, the ostler?—I do not, to my knowledge.

5200. Do you remember, on the morning of the polling day, a man coming to you with a message from Mr. Cook?—Yes, I do.

5201. Do you remember his coming and telling you that he was desired by Mr. Cook to tell you that you were not to rely upon him any longer, and that if you could get anything from the other side, you were to go and get it?—Yes, he did. Anything you ask me that is right I will tell you.

5202. Did you upon that say, "Oh dear! oh dear! how can they behave so after my working for them night and day"?—No, I did not say any such thing, or anything at all like it.

5203. By the *Committee.*] Tell us what you did say?—I said, "Surely they are not going to throw me overboard." That was the reply.

5204. What did you mean by throwing you overboard?—I do not know, I am sure. I went straight to the poll.

5205. Mr. *Sleigh.*] When the messenger said that to you, did not you exclaim, "Oh dear! oh dear!"?—No, I did not.

5206. But you will not listen to me, and you shall listen to me, depend upon it; so do not excite yourself about it?—I am not in the least excited.

5207. Did you say, "Oh dear! oh dear! how could they treat me in this manner after I have worked for them night and day"?—I have never worked at all for them.

5208. That is not an answer to my question?—I have said so. I will tell you what I said.

5209. First tell me, on your oath, did you say that?—Nothing of the kind.

5210. What did you say?—I said, "To be sure they are not going to throw me overboard."

5211. Will you tell the Honourable Members what you meant by that?—Nothing at all.

5212. You were on board, or else they could not have thrown you overboard?—I do not know where I was; but I know that was the answer I made.

5213. Now just look at these Honourable Members, and tell them what you meant by saying, "Surely they are not going to throw me overboard"?—I do not know that I meant anything.

5214. By the *Committee.*] Oh, yes you did; and just tell us what it was you did mean; you are only delaying the investigation?—I had no promise of anyone. I know nothing at all of it.

5215. Then the message had no meaning, and your answer had no meaning?—I know nothing about it. I merely said that. I had no idea, no meaning in it; that is what I said simply, as I do now.

5216. Mr. *Sleigh.*] Do you mean these Honourable Members to believe you when you tell them that you said, "Surely they are not going to throw me overboard;" that you had no meaning at all in making the observation?—I think the meaning was for them to tell me to go and vote for the others. I believe it was Mr. Cook who sent the messenger, and he is here, and can be called.

5217. Do you mean you were told by the messenger that you were not to rely upon them any longer, but to go over to the other side, and get what you could from them, and then you said, "Surely they are not going to throw me overboard," that you meant nothing by it at all?—That was the tenor of the subject, that I was to go to the other side, if I liked to vote for Mr. Westropp.

5218. Do you mean to tell these gentlemen that you had no meaning about it at all?—They told me I could go and vote for the others.

5219. There was no meaning in it?—He told me it was useless for me to rely on Mr. Cook, and I could go over to the others if I was so minded, and I said, "Surely they are not going to throw me overboard like that."

5220. What had you been doing for Mr. Cook, then?—Nothing at all.

5221. Then how was it that they were throwing you overboard for what you had been doing?—I may send a messenger to tell you to hang yourself, and you may do it.

5222. The *Chairman.*] That is not a proper answer to the question?—You ask what I do not know anything about. If he chose to send to me that is his look-out.

5223. Mr. *Sleigh.*] I will have an answer, you may depend upon it, and the Honourable Members will compel you to be respectful and decent while you are in the witness box. You were told by the messenger you were not to rely on

Mr.

Mr. Cook, but to get anything you could from the other side.

5224. The *Committee.*] The subject is, "Well, you can go and vote for Mr. Westropp, or go there and see if you can get anything." You said, "Are they going to throw me overboard"?—Yes.

5225. What had you been doing for them?—Nothing at all.

5226. Why should you have complained of their going to throw you overboard, if you had been doing nothing for them?—No more than that I gave away drink, but not from Mr. Cook's orders.

5227. Mr. *Sleigh.*] You had given away drink?—I had, of course, because there was a lot of people there.

5228. Was that why it was you thought it was very cruel to throw you overboard, that you had given away so much drink?—Perhaps that might have been it.

5229. You mean that you would have lost so much more by the drink that you gave away in the cause?—If they had not attended to me, or paid me in some way or other, I might have lost by it.

5230. Lost a good deal?—Not a great deal.

5231. How much do you suppose you would have lost by their throwing you overboard?—Probably a 5 *l.* note.

5232. You mean by the drink you had given away to the people?—Yes; but Mr. Westropp's party, as well as the other. Jobson was there, and Stacey was there; and they voted for Mr. Westropp.

5233. The fact is, as I suppose, that anyone who wanted it, and came in, might take it from your counter?—Not exactly everybody; it would not be like that.

5234. Now, do you mean to tell me that those who came in during the night that you have spoken of, and asked for drink, that they did not get it, although they did not pay for it?—Yes; but it was not every person; I might have had all the town there.

5235. You say you might have lost 5 *l.* by the drink you gave away?—Yes.

5236. Have you been paid that?—No.

5237. They have not paid you that?—Not a farthing.

5238. Am I to understand that you gave this drink entirely for the love of the cause?—I have never been paid for it.

5239. Did you give it away?—I have never been paid a shilling for it.

5240. To whom have you applied to be paid?—Nobody at all.

5241. Who do you think would give it to you?—The honourable gentlemen, I suppose, in the town; those who partook of part of it, I have no doubt but what they will pay me.

5242. On the Sunday after the election, do you remember this conversation taking place with Poole, when the subject was discussed as to whether there would not be an Election Petition?—I have no knowledge; it might have been.

5243. Tell me whether it did not occur?—I do not know who was there the Sunday after; I cannot tell that.

5244. But tell me this: do you remember a conversation taking place between yourself and Poole—never mind who else was present—about the probability of an Election Petition being presented?—I do not.

5245. Did you say these words, "those who promise and do not give, are a d——d sight worse than those who promise and do give"?—That might be, but I do not know at all the man you are speaking of, Mr. Poole.

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5246. You do not leave that chair until you give me an answer to this question, yes, or no, whichever you please?—I might have said so, but I do not know Mr. Poole.

5247. Did you say so?—I may have said so.

5248. Upon your oath, did you say so?—I might have said so.

5249. Attend to me. Do not trouble yourself as to whether it was said to Mr. Poole, or in his hearing, but did you utter those words?—There is no doubt I did, but I do not know Mr. Poole.

5250. "Those who promise and don't give are a damned sight worse than those who promise and do give"?—Perhaps I did say so. It is not honest to promise and not give.

5251. You did say so?—I might have said so.

5252. Upon your oath, did you not say so?—I tell you I might have said so.

5253. Upon your oath, did you not say so?—I might have said so; of course it is likely I did say so.

5254. Why do you not make a clean breast of it, and tell me whether you did not say so?—It is very likely I did, but I do not know Mr. Poole, who you are speaking of.

5255. Did you say this in the very same conversation, "Mr. Westropp is in, and as he is returned, I would rather for the man to stay in"?—No, I did not.

5256. You swear you did not?—Not that I am aware of.

5257. Will you swear you did not?—No, I did not.

5258. Will you swear you did not?—I am not aware that I did.

5259. Will you swear you did not?—I have no knowledge that I did.

5260. Will you swear you did not?—I cannot tell you, but I do not believe I did. Will you tell me what you had for dinner?

5261. You do not appear to remember you are on your oath?—Anything you ask me that I know, I will answer.

5262. Will you swear you did not say so; yes or no?—I cannot tell you.

5263. Will you swear, yes or no?—I cannot tell whether I did or did not.

5264. Yes, you can; will you swear, yes or no?—Anything you ask me I will answer, that I know.

5265. Will you swear you did not say it?—No, I will not swear either way; I do not know.

5266. Did you say, "I was offered 25 *l.* by my side, but I have not received a damned farthing"?—Never in my life, and I never had a farthing.

5267. By the *Committee.*] But were you ever offered a farthing?—Never in my life.

5268. Mr. *Sleigh.*] That is not an answer to the question?—I never was offered a farthing, and never received a farthing in my life; and I have been 30 years a voter.

5269. Now, upon your oath, and I caution you as to the answer that you give; did you not say, "I was offered 25 *l.* by my side, but I have never received a damned farthing"?—Never in my life, I never was offered a farthing. And I do not care who you call, I have voted for 25 or 26 years

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years for the Tories, and I never had a halfpenny from them.

5270. By the *Committee.*] That is not quite an answer to the question; the question is not, were you ever offered, but ——?—No, I was never offered a farthing in my life.

5271. The question is, did you ever say you had been offered?—Never in my life.

5272. Mr. *Sleigh.*] Do you mean to pledge your oath to that?—Yes. I was never offered a farthing in my life.

5273. By the *Committee.*] But had you ever said that you were ever offered anything?—I never could have said so, because I never was.

5274. Mr. *Sleigh.*] Never mind whether you could have said so or not; have you ever said so?—On my oath I have never said so.

5275. Remember your evidence is being taken down in writing?—I do not care about that; I know nothing of it.

5276. Will you pledge your oath, that you did not say this?—No, nor anything of the kind.

5277. Do you mean to say that you did not say, "I have been offered 25*l.* by my side, but I have not received a damned farthing"?—Never in my life; that day, or any other day.

5278. Did you say, further, "I intended to pay my rent with it, and it would have been very handy, as I have got a large family"?—That is another untruth.

5279. You did not say that?—Never in my life.

5280. That you pledge yourself to?—I do.

5281. And if anybody was to come and contradict you upon that matter they would be telling an untruth?—I do not care who contradicts me, I never used such language in my life; not that day, nor any other day. Mr. Smith can tell you all about me; he has known me years enough.

5282. How was it that you came to rely so much upon Mr. Cooke, when a message was sent to you that you should go over to the other side?—I never had anything from Mr. Cooke.

5283. But you said, "How cruel it was of them to throw you overboard"?—Yes.

5284. The message came direct from Mr. James Cooke?—I do not know anything of his sending messages to me; that is his look-out.

5285. But how came you to say that?—Mr. Cooke is out there, and if he is of age he can answer you; he is outside, and you can ask him.

Mr. *Powell.*] I do not ask this Witness any question; he is not subpœnaed by us.

The *Witness.*] If people had been all so honest there would have been no need of coming up here for electioneering petition. I can assure you I never had a halfpenny in my life, or the promise from anyone, or any man breathing, and I have been a voter for more than 30 years.

Mr. Robert Bussell, sworn; Examined by Mr. *Sleigh.*

Mr. *R. Bussell.*

5286. We have heard from you before that you are sub-Bailiff of the County Court at Bridgwater?—I am.

5287. Now, besides being a sub-bailiff, are you in the habit of chartering steamboats for the summer months?—I have been in the habit of chartering pleasure steamboats for the summer months.

5288. Had you, amongst the other boats engaged, a boat called the "Petrel," belonging to Mr. Sully?—I had.

5289. He is one of the electors of Bridgwater?—He is.

5290. Mr. *Powell.*] Which Sully is that?—Mr. George Bryan Sully.

5291. Mr. *Sleigh.*] He is one of the supporters of Mr. Kinglake and Sir John Shelley?—I believe he voted for them.

5292. Your brother's name is Henry Chapman Bussell, is it not?—It is.

5293. He is an innkeeper at Bridgwater, and is besides the agent of Mr. Sully, whose name I have mentioned?—He is.

5294. Had you a conversation with your brother, Harry Chapman Bussell, in reference to this steamer, just before the election?—I had.

5295. Just tell us what it was?—There was a new boat coming to Bridgwater, a much faster one, called the "Victor," belonging to Mr. John Towse. I went into a correspondence with Mr. Towse, to take the boat in the place of the "Petrel," which I had previously run.

5296. Now having introduced the matter, will you come to the conversation which took place between your brother and yourself about the "Victor"?—I was standing beside the "Victor," when my brother came and said, "Bob, have you taken the "Victor;" I said, "Yes, and am writing for the inspectors to come from Bristol." He said, "Well, what makes you take her?" "Because she is a much better boat, for one thing; and another thing, Mr. Sully took the boat from me the last trip last summer," alluding to the "Petrel." He said, "Now, I have been instructed by Mr. Sleigh, that if you like to take the 'Petrel,' you may have her at 5*l.* a-day; or you may run her, and take one-third of her profits for management, if you have not taken the 'Victor' only from voyage to voyage, and you can have her at the next trip." I said, "I shall do no such thing; I have got the 'Victor,' and I will keep her." He then said, "You had better do it, and I will give you 40*l.* if you will vote for Mr. Kinglake, and any gentleman who may appear in place of Colonel Tynte." I told him no, I should do no such thing.

5297. Before you made him any answer, did he say anything further to you about what you were to do during the election?—Yes.

5298. What was that?—He requested me to vote for Mr. Kinglake, and for any gentleman who might be brought forward with him.

5299. Did he say anything about the part which you were to take in the election about absentees, or anything?—The 40*l.* was named before that.

5300. Was anything further said?—He said, "We will allow you to go to all absentees, which you know well will be worth you 40*l.* more.

5301. Now, tell me what reply you made to that proposal of Henry Chapman Bussell?—I said, "I shall do no such thing, I shall vote for Mr. Westropp, and no one else, unless Colonel Tynte comes.

5302. What did he say to that?—He said, "You are making yourself a d——d fool, after the way they

they served you at the last election." I said, "Well, I do not care for that."

5303. Now, tell me this; a few days before the election, did you meet a man of the name of Thomas Symes?—I believe so, on the Monday, as the election was on the Wednesday.

5304. Who is this man Thomas Symes?—He is a master mariner.

5305. In whose employment?—Mr. James Wood Sully.

5306. The same person you have been speaking of?—No, not the same person.

5307. What did he say to you?—He said, "Well, Bussell, what do you think of the election?" I said, "We shall know in a day or two."

5308. That was on the Monday?—That was on the Monday. He said, "I suppose you will vote for Westropp?" I said, "Yes. Who are you voting for?" And he said, "I must vote for Mr. Kinglake and Shelley, as I cannot afford to lose my berth. You know my governor;" alluding to Mr. James Wood Sully.

5309. Now, upon the day of the nomination, were you standing at the Cornhill?—I was listening to the addresses of the candidates.

5310. You know Henry Vearncomb?—Yes.

5311. While you were listening to the speeches of the candidates, what did Vearncomb say to you?—He called me on one side, and asked me if I would go and see Mr. Joseph Richard Smith for him. I said, "What for?" He said he had been and asked him if he would support him in his contract for scavenging the town if he voted for Mr. Westrop, and Mr. Smith's reply to him was that he was to go and vote, and do what he considered right, and that when the contract was made, what was right would be done.

5312. Did this man Vearncomb at that time show you anything or tell you anything about any document?—I refused to go, as I was not friendly with Mr. Smith, and Vearncomb said, "Well, I have asked two or three times, and I have an I. O. U. from the other side, and unless some one will intercede for me I shall accept it."

5313. How much did he tell you the I. O. U. was for?—£. 15.

5314. Now, upon the same night, the night of the nomination, did you go to Benjamin Lovibond's office?—As I was standing on the bridge, from information I received I went in the direction of Mr. Benjamin Lovibond's office; on my way there I met the man Henry Vearncomb between 9 and 10 o'clock at night.

5315. What occurred then?—I said, "Holloa, Harry." He said in reply, "Well, I have been over; no one will see Smith for me," shaking his hands with some coin in them at the same time; "I have got the money, and now I shall vote for Kinglake and Shelley."

5316. Shaking what in his hands?—It sounded like money, but I could not say what it was.

5317. Mr. *Powell.*] You know the chink of money?—I know the chink of money.

5318. Mr. *Sleigh.*] Now, when he said that to you what happened?—I said, "Very well," and passed on.

5319. Now, a day or two after the election did you see Vearncomb again?—I did, riding on horseback.

5320. How close to Mr. Lovibond's office was it that you met Vearncomb the night when he was chinking the money?—One hundred and fifty or 200 yards.

5321. In which direction was he coming?—He was opposite Mr. Paul Reed's office.

5322. In what direction was he coming?—He was coming in the direction from Mr. Benjamin Lovibond's.

5323. By the *Committee.*] You did not see him come from either of those places?—Oh, no.

5324. Mr. *Sleigh.*] Did he say anything about Mr. Lovibond or not?—No; he said he had been to get cash upon the I. O. U., and now he should vote for Kinglake and Shelley.

5325. Did he say from whence he got it?—No.

5326. Do you remember, a few days previous to the election, being in Eastover with Mr. Stacey on that day?—Yes.

5327. Did you see a carriage standing at the door of the "Commercial Inn," Phelp's?—I did.

5328. Were Sir John Shelley and Mr. Kinglake, Mr. Bote and Mr. Reed, standing, at the door of the hotel, at the carriage door?—Mr. Kinglake, Sir John Shelley, and Mr. Robert Bote were in the carriage when first I noticed them, and Mr. Reed was getting up into the carriage.

5329. Were they up at the window, or what?—There were Mr. George Wilson and William Cornelius White there.

5330. Did you see anything done at the window, or anything said?—I never heard a word said, but a gentleman at the window was offering wine, holding it up to the window, and taking it back again.

5331. Did you hear anything said by Mr. Reed or any other person when you saw the wine held up?—One of the parties said, "Do you mean it?" looking up at the window; that drew Mr. Reed's attention to the window, and with that same he looked across to me, and said, "Yes, go up and take what there is, you are welcome."

5332. How many committee-rooms had the Orange and Blue?—Three.

5333. From each of these committee-rooms did you see colours and flags?—I did.

5334. And "Kinglake and Shelley" upon them?—I did.

Cross-examined by Mr. *Powell.*

5335. I suppose that you are aware that Mr. James Wood Sully is one of the petitioners?—I am.

5336. Now, tell me, if you please, when was your evidence, that you have given to-day, taken down in writing?—Within a fortnight after the petition was filed.

5337. By whom?—At Mr. Smith's, the solicitor's office.

5338. The evidence that you have given to-day?—And more.

5339. Have you had any evidence taken down in writing since you have been in London?—I have.

5340. When?—On Saturday morning, with reference to the last portion of my evidence.

5341. About the glass of wine?—Yes.

5342. You recollected that on Saturday morning?—Yes; I recollected it so well that I would not come here and swear it in the presence of Sir John Shelley, Mr. Kinglake, and Mr. Reed, if it were not the truth.

5343. Did you not recollect it when you gave your original evidence?—I considered it of no importance.

Mr. *R. Bussell.*

23 April 1866.

5344. And that is a correct opinion?—That was the opinion that I formed about it.

5345. It was with your brother that you had the conversation about the boat?—It was.

5346. You never had any conversation with Mr. Sully about it, I suppose?—Never.

5347. You never told Mr. Sully that such a proposition had been made to you, and asked him whether your brother had any authority to do so?—I have never spoken to the man since he took the boat from me.

5348. You did hire a boat from him?—Once I did.

5349. How long?—During the summer of 1844, until the last trip the last day the excursions were to run.

5350. And then he refused to let you have the boat any more?—I unfortunately gave the profits the last day I had it to the Working Men's Institution, and they got into print, and I never had the boat afterwards.

5351. Thereby the owner of the boat learned what the profits were; and you have never had the boat since?—The boat was advertised in Mr. Sully's name, and he ran it himself.

5352. I suppose you have no great love for Mr. Sully on that ground?—I do not think he did right when I had done an act of kindness. I might have put the money in my own pocket.

5353. In point of fact you were angry at having the boat taken away from you?—I was for doing good.

5354. Does it happen that you are also angry with your brother?—Well, we are not on very good terms because he ran the boat against me last summer.

5355. Now, I want to know when this conversation was about the boat?—I believe it was the Monday previous to the 25th of May, and I believe the 25th of May was on a Thursday.

5356. That was long before the dissolution of Parliament?—It was, or else he would have known Sir John Shelley was coming with Mr. Kinglake.

5357. Probably, then, you had never heard of Sir John Shelley?—Never.

5358. You have spoken of Mr. Richard Smith; have you seen that gentleman in London?—Never.

5359. He was in London, I suppose, the greater part of last week?—I cannot say, but he was here on Friday and Saturday.

5360. In the lobbies?—Yes.

5361. Do you know whether he is here now?—I do not. I have not seen him since Saturday.

ROBERT COLES, sworn; Examined by Mr. *Sleigh.*

R. Coles.

5362. You reside at Bridgwater?—Yes.

5363. You are an elector of that borough?—Yes.

5364. A short time before the election were you canvassed by Mr. Westropp?—Yes.

5365. Did you vote for Mr. Westropp?—I did.

5366. Upon that day that Mr. Westropp was canvassing, did you see anything of Mr. Henry Chapman Bussell?—I did.

5367. At some period later in the day, did he come to you?—Yes, at the time that I saw Mr. Westropp.

5368. After Mr. Westropp had canvassed you he came up and spoke to you?—Directly after.

5369. I understand you to say that when Mr. Westropp and you parted, he came after you?—He did.

5370. Now, tell the Honourable Members what he said?—I saw him after I left Mr. Westropp when going home to my dinner, and while I was talking to Mr. Westropp he went out of Mr. Smith's shop and went on to the top of the bridge; and when I left Mr. Westropp to go home to my dinner he ran down over the bridge, and just past the town pump he came behind me and caught me by the collar, and he said, "Coles, have you got a vote?" I said, "Yes, I have." He said, "To be sure, you are not going to vote for Westropp, are you?" I said, "I am, and he is a fit and proper person to vote for, too; is he not?" He said, "Do not vote for him: vote for Kinglake and Sir John Shelley;" I said, "I shall not." He said, "Now is your time; if you have a mind to do yourself any good, let me know what you want, and I will get it for you."

5371. What did you say to that?—I said, "You must get plenty of money if you serve all the voters alike;" he said, "Well, on the last election we carried our two members by tens and fifteens, and we are better prepared this time, and I hope we shall carry them again, for Sir John Shelley has got plenty of money;" I said, "Let Sir John Shelley keep it himself; I am not going to be bribed by you or any other man, for I shall vote for Mr. Westropp." He pressed me again and again, and I said, "It is of no use; I have promised Mr. Westropp, and I shall vote for him;" Upon that, I left him, and went home to my dinner.

5372. Did he attempt it at any other time?—No, he did not come near me after. I went straight home to my dinner.

5373. You gave him enough, I dare say, then?—I gave him to know that I did not intend to be bribed by him.

Cross-examined by Mr. *Powell.*

5374. Do you know the "Golden Lion"?—I do.

5375. Were you there at all during the election?—I went down as far in the morning.

5376. What time in the morning did you go there?—I might have been there between six and seven in the morning.

5377. What are you?—I work at the sawing sometimes; that is my employment generally, and sometimes I work at carpentering. I am sawing where I am now.

5378. Where may that be?—In the employment of Mr. Harwood.

5379. Mr. James Harwood?—Yes.

5380. How long have you been in Mr. Harwood's employment?—It might be two or three years.

5381. Or it might be less?—I do not think it was less, because I left Mr. Brown's to go there to work.

5382. Do you work regularly for him?—Yes, ever since I have been there; I have worked for no one else.

5383. Do you get weekly wages?—No, ours is all piece work; what we earn we get.

5384. Now,

5384. Now, you were at the "Golden Lion"?—I did go down in the morning.

5385. How came you to be there at that time in the morning?—Well, I was there.

5386. So you tell me, and I knew it before you told me. How came you to be there?—I had no particular occasion to bring me there.

5387. Perhaps you do not know why you went there?—I had no particular occasion to bring me there.

5388. What did you go for?—Nothing particular.

5389. By the *Committee.*] Tell us why you were there and save time?—I passed there and went in, but on nothing particular.

5390. You went in, then, for some reason?—No, I did not. I saw a lot of people there on the morning of the poll, and I went in just as others might.

5391. Mr. *Powell.*] I want to know what brought you there between six and seven in the morning?—Nothing particular.

5392. How long did you stay there?—Well, I might have been there 10 minutes or a quarter of an hour.

5393. Or more?—I do not think I was, because I was talking to one and another there—foundry men, but I cannot be sure to a minute.

5394. Tell me the names of the persons you were talking too?—I do not know, I am sure; there were so many there.

5395. If there were so many there, there must have been some friends of yours; who were they?—I cannot tell; there were several working men there.

5396. Can you not tell the Committee the name of any single person who was at the "Golden Lion" on the morning of the poll?—There was a good many of the foundry people there, but whether they were electors or non-electors I could not say.

5397. I ask you to tell the Committee the names of some of the persons you saw at the "Golden Lion"?—I cannot recollect.

5398. Not a single person?—My son went in with me.

5399. What is your son?—Well, he is at the grocery now.

5400. What grocery?—Mr. Berkeley's; one of my sons.

5401. Which is the son that went to the "Golden Lion" with you?—Not that son.

5402. Which is the son that you took into the "Golden Lion"?—The one at Mr. Smith's.

5403. What Smith's?—Mr. Smith, the lawyer's; I was out for a walk, and I met him.

5404. Mr. Bealey Smith?—Yes.

5405. How long has your son been at Mr. Bealey Smith's?—He has been with him three or four years.

5406. What is his age?—Nearly 20.

5407. Do you take your sons into the public-house between six and seven o'clock in the morning, commonly?—We were out for a walk, and we went in, seeing so many people there.

5408. Perhaps you thought it was a nice place to take your son into?—There was a mob of people there, and I did not think there was any harm.

5409. How long did your son stop there?—I did not see him come away; he went through the back yard, I think. I was not in his company long.

5410. How came you to leave his company?—He left me, I suppose.

5411. Where did he go to?—I do not know.

5412. You do not know whether he went upstairs or down?—No.

5413. Or whether he remained in or went out?—He went out, I suppose.

5414. Do you know whether he was in the house or not when you left?—I cannot say.

5415. For aught you know he might have been in the house still?—It is not likely that he is there now.

5416. For aught you know he might have been in the house after you left?—He might have been.

5417. How long he stayed there you do not know?—No.

5418. Did you see Mr. Pim there?—No.

5419. What, not the landlord?—No.

5420. Did you see Frederick Jarman there?—No, not in the house. I saw him out in the street.

5421. Near the house?—Well, I think it was down below Culverwell's that I saw him.

5422. Did you see Mr. Heal there?—No.

5423. Did you see him during the day?—I saw him some time during the day.

5424. What part of the day?—I think after I went to poll.

5425. What time did you poll?—Between eight and nine o'clock.

5426. Were you one of the tallys who went up to the poll?—I went up to the poll with them but not in the tallys.

5427. From the "Golden Lion"?—I did not go from the "Golden Lion."

5428. Did this party go from the "Golden Lion"?—There was a mob of people going up and I joined them.

5429. From the "Golden Lion"?—I do not know where they came from."

5430. Did you go to the poll from the "Golden Lion"?—I went from St. John-street.

5431. How long after you left the "Golden Lion" was it before you went to the poll?—I went home and had some breakfast after that, I think.

5432. Did you go to the "Golden Lion" again?—No, I went just to the bottom of Berkeley-street.

5433. Did you go to the "Golden Lion" again that day?—I went down as far as the door, but I did not go in.

5434. Why did you go as far as the door?—Because there was a mob of people going up and down, and I went down as far as the door.

5435. Did you go with a number of other persons to the poll?—I went to the bottom of Berkeley-street, and a mob of people was going up through the town, and I walked up with them, but I went into the polling booth by myself.

5436. Did that mob of people come from the "Golden Lion"?—They came from the station way.

5437. Is that the way of the "Golden Lion"?—Yes.

5438. Had you seen any of those people at the "Golden Lion"?—I did not see them come out of the "Golden Lion."

5439. I did not ask you that, and you know very well I did not. I asked you whether you had seen any of that mob at the "Golden Lion"?—I do not know that I had.

R. Coles.

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5440. Will you swear that you had not?—I can swear I do not know who the parties were.

5441. My question is, did you see some of them at the "Golden Lion"?—I do not remember that I did.

5442. Did you see Mr. Wilton at the "Golden Lion" at all that day?—I did not.

5443. Not at all?—Not at all.

5444. Do you know Stoodley?—Well, I do know Stoodley.

5445. A tailor?—Yes.

5446. Did you see him there?—No.

5447. Not at all?—Not that I am aware of.

5448. Do you know a man named John Davis, a dyer?—Well, I do know him.

5449. Did you see him there at all?—Not that I am aware of.

5450. Oh, recollect, and tell me?—I cannot recollect seeing him there at all.

5451. What rooms did you go into at the "Golden Lion"?—Well, I went through the kitchen.

5452. Where to?—There are two or three steps into the room, and I saw a lot of people there drinking, and I looked up to see if there was any person there that I knew, and there was some person, but I do not know who it was, who asked me if I would drink, but I said, "No, it's too early in the morning for me."

5453. You went upstairs to see if there was anybody there whom you knew?—Not particularly; I could not call them by name.

5454. That you mean to swear?—I could not call by name any person that I saw in that room.

5455. Do you mean to swear that you cannot give me the name of any person in that room?—I cannot recollect.

5456 Did you know at the time?—I might have known at the time.

5457. You cannot tell me anyone?—I cannot.

Re-examined by Mr. *Sleigh.*

5458. Is it the fact that you do not remember the names?—I do not remember the names.

5459. Now, the morning upon which the poll took place was a very fine morning, I believe?—Very hot, from what I can recollect.

5460. And a large number of persons about, as there would be on an election morning?—A great many people.

5461. Is it the fact, that your son was the junior clerk at Mr. Smith's?—He was.

5462. Did he go out with you that morning?—He had been out for a walk, and as I was in Berkeley-street, I saw him.

5463. You met him?—Yes.

5464. Being the clerk of the solicitor, Mr. Smith, it was his duty to go to the different committee-rooms?—I do not know that he was at any committee-room at all.

5465. You happened to meet him out upon this fine morning, and he went with you for a short time?—Yes.

5466. And you went home to breakfast before you went to poll?—I did.

WILLIAM SELLAR, sworn; Examined by Mr. *Sleigh.*

W. Sellar.

5467. ARE you an Elector of the borough of Bridgwater?—Yes.

5468. At the last election, did you vote for Mr. Westropp?—Yes.

5469. Now, the day before the nomination, were you at or near Phelp's "Commercial Inn"?—Yes.

5470. Do you remember, as you were passing by, meeting Henry Bussell?—I was going down to Eastover, and Mr. Bussell was in at the "Commercial Inn," and he tapped at the window.

5471. Did you go in?—Yes.

5472. Did he give you anything to drink?—He asked me whether I would have a pint of beer; I said I would have a pint of half-and-half.

5473. Did you have it?—Yes.

5474. Did you pay for it?—Mr. Bussell paid for it.

5475. Was there any refreshment there which you were invited to take?—There was bread and ham on the table, and he asked me if I would take a bit of it, and I said, "No."

5476. Did Bussell talk to you about the election?—He asked me if I was going to vote for Shelley and Kinglake, and I said, "No, I should vote for Westropp."

5477. What did he then say about the party?—He did not say anything about the party then.

5478. Did he say anything further?—He said he dare say there would be something in a day or two.

5479. What further did he say to you about your vote?—I cannot remember that he said anything.

5480. Just try and remember?—Nothing more than that.

5481. Did he say anything at all about whether they could do better for you or not?—No.

5482. Just recollect; do you remember what further he said?—No; he did not say anything more to me that day.

5483–4. Now go through it again, and tell me what it was he did say, when he asked you to vote for Westropp?—He tapped the window, and when I went in, he gave me a drink, and asked me if I was going to vote for Shelley; I said, "I shall vote for Westropp;" and he said, I had better vote for Shelley and Kinglake; I told him I should vote for Westropp.

5485. What did he say to that?—I do not remember that he said anything.

5486. You said something about some money?—He said, "There will be some money in a day or two, and then I will make you all right if I get any."

5487. Well, go on?—There was no more passed that day that I remember.

5488. This was upon the nomination day; did you, on the morning of the poll, see him?—Yes.

5489. What occurred then; where was it you saw him?—I saw him on the bridge.

5490. What did he say to you then?—He asked me who I was going to vote for, and I said I should vote for Mr. Westropp.

5491. What did he say to that?—He said "You had better vote for Kinglake and Shelley;" and I said "No, I shall vote for Mr. Westropp;" then I went away and left him.

5492. Was there anything said by him when he

he said you had better vote for Kinglake and Shelley; were you near the "Anchor" public-house?—Yes.

5493. Now try and recollect, did he say anything about going to the "Anchor"?—I went into the "Anchor."

5494. Did you go into the "Anchor" with him?—No.

5495. When you were in the "Anchor" what did he say; or did he say anything about any amount that you should have if you voted for Kinglake and Shelley?—No; he told me on the bridge that he would give me an I. O. U. for 15 *l.*

5496. What did you say to that?—I did not say anything. I told him the I. O. U. was no use to me, and I should not have it, and I should vote for Mr. Westropp.

5497. Did you have anything to drink when you were at the "Anchor"?—I had a pint of half-and-half. I believe Mr. Bussell's brother brought it.

5498. Did you pay anything for it?—No.

Cross-examined by Mr. *Powell.*

5499. What are you?—A labourer at the docks.

5500. Have you voted at Bridgwater before?—Yes.

5501. Who did you vote for on the previous occasion?—Mr. Westropp both times.

5502. Do you know a man of the name of Beach?—Yes.

5503. Do you remember having some conversation with him at the "Berkeley-street Arms" about the election?—I cannot remember.

5504. Just try and recollect, if you can, who it was who asked you if you had had any money for your vote?—I cannot remember.

5505. Do you not remember his asking you if you had had any money for your vote?—No.

5506. And do you not remember then saying to him that you had not yet, but if you did not there would be a b——y row?—I cannot remember it.

5507. You will not swear you did not say it?—I cannot remember it.

5508. You will not say you did not?—I cannot remember anything about that at all.

5509. Will you swear you did not say it?—No.

5510. Do you remember another time at the same place, the "Berkeley-street Arms," again talking about your vote?—We have occasionally talked one to the other.

5511. Have you ever told him that you had been to Wadden, and that he had sent you to Bryant?—No.

5512. You are quite sure of that?—Yes.

5513. Have you ever told him that when you went to Bryant, he sent you back again to Wadden?—No.

5514. Have you told him you would not be "jackassed" any more, and you went to head-quarters?—No.

5515. Did you tell him that at head-quarters they asked you what time you went to the poll?—No.

5516. Did you say nine o'clock?—No.

5517. Do you say that they then paid you the money, but if you had not gone to head-quarters you would not have had it?—I never had a farthing.

5518. That is no answer to the question?—No, I did not.

5519. Now did not you say that you had been to head-quarters and they had paid you the money, and if you had not gone to head-quarters you would not have had it?—No; I will be on my oath that I never told him that.

5520. Nor anything to that effect?—No.

5521. Did you tell him nothing about head-quarters?—I had no conversation about any man living that I can remember.

5522. Will you swear that you had not?—I cannot remember it.

5523. Will you swear that that conversation in effect did not take place?—No; I cannot remember.

5524. Will you swear it did not?—I cannot remember having anything to say to him at all.

5525. Will you swear that conversation did not take place?—I cannot remember anything of it at all.

5526. It is no use telling me you cannot remember; but will you swear it did not take place?—No, I cannot remember anything about it at all.

5527. We are not asking whether you remember it, but whether you cannot swear that it did not take place?—I cannot remember anything of it.

5528. By the *Committee.*] That is not an answer; can you or can you not swear that it did not take place?—I cannot remember at all.

5529. You must answer the question which the learned counsel has put to you?—I cannot remember anything of that.

5530. Mr. *Powell.*] Will you swear that you did not have that conversation with him?—No, I will not swear it.

5531. Now, as regards Bussell, whom you have been talking of, I ask you if he did not ask you, while the election was going on before the poll, if you had made up you mind for whom you were going to vote?—Yes, he did.

5532. And did you say to him, "I shall wait and see what is going on"?—I may, but I cannot remember it.

[Adjourned to To-morrow, at 11 o'clock.

Tuesday, 24th April 1866.

W. E. BAXTER, Esq., in the Chair.

The *Chairman* inquired whether Mr. Powell admitted that Mr. Benjamin Lovibond was an agent.

Mr. *Powell* admitted that he was an agent of Sir John Shelley, but not of Mr. Kinglake.

The *Chairman* stated that the Committee desired to hear evidence in the first instance this morning to prove agency on the part of Mr. Benjamin Lovibond and Mr. Bussell, after which they wished to hear the case of the defence.

Mr. *Longfield* said they would proceed to give such evidence.

Mr. *Powell* said he presumed the Committee, as in the former case, would not allow the Petitioners to re-open the case.

The *Chairman.*] Certainly not.

John Henry Wadden, sworn; Examined by Mr. *Sleigh.*

J. H. Wadden.

24 April 1866.

5533. What are you?—A rope manufacturer.

5534. At Bridgwater?—At Bridgwater.

5535. Now, after the election at which Mr. Henley and Colonel Tynte were candidates, did you receive the flags and colours which were used upon that occasion?—They came into my possession about two years ago.

5536. Did they remain in your possession until the month of July last year?—Yes, thereabouts.

5537. A short time previously to the election?—Yes.

5538. Now, did you, on or about the 3d of July, receive a note which I will now place in your hands, signed, B. Lovibond?—Yes, that is the same.

5539. "Bridgwater, 3d July 1865. Mr. Wadden. Sir,—Please deliver to Mr. Smith, of York House, all the colours belonging to Colonel Tynte, Mr. Henley, and Mr. Kinglake." Now, before these were delivered up, did you happen to see Mr. Benjamin Lovibond; I believe he was riding past your house?—Yes, I saw him opposite the door, by the "Globe."

5540. You had then received that note?—Just so.

5541. Having received that note, did you make any observation to him about it?—Yes. I said, "Before I deliver up the flags, I should like to know what authority you have for asking for them."

5542. What did he say to that?—He said, "Oh, pooh! pooh! I have always acted for the Liberal party, and have acted for Colonel Tynte these 30 years."

5543. What did you say to him upon that?—I said, "I merely ask the question to make myself."

5544. What did he say to that?—He said, "If anybody asks you about them, refer them to me."

5545. Now, during the canvass, did you see Mr. Benjamin Lovibond about the town?—Yes, several times.

5546. Canvassing?—I suppose he was; I did not see him ask anyone.

5547. Did you see him with the candidates?—Just so.

5548. Mr. Kinglake and Sir John Shelley?—Yes.

5549. Going about the town from place to place, as people usually do when they are canvassing?—Yes.

5550. Did you see that from day to day during the whole progress of the election?—I cannot say I saw it every day; I saw it several times.

5551. Now, you know Henry Chapman Bussell?—Very well.

5552. Now, did you see Mr. Henry Chapman Bussell with the Honourable Candidates, Mr. Kinglake and Sir John Shelley, during the progress of the election?—Yes, on one occasion.

5553. Where was that?—That was opposite our shop door, just turning the corner going towards the Salmon Parade.

5554. Had you any conversation with them?—No.

5555. Upon that occasion, who were with the candidates besides Mr. Henry Chapman Bussell?—Mr. John Smith, of York House, Mr. Paul Reed, solicitor, and several others; I do not know who the rest was.

5556. Had any of these gentlemen a book in his hand?—I only noticed one.

5557. Which was that?—John Smith.

5558. What kind of book did it appear to be?—A kind of memorandum book; he had a pencil in his hand as well.

Cross-examined by Mr. *Powell.*

5559. Mr. Benjamin Lovibond is lame, is he not?—Yes, I believe so; he walks so.

5560. Now, just tell me if you recollect seeing him on more than one occasion?—Yes, I saw him two or three times.

5561. But I mean with the candidates?—Yes.

5562. Whom can you pledge your recollection that you saw him with?—I saw him with Sir John Shelley on one or two occasions.

5563. Did you ever see him with Mr. Kinglake?—Yes.

5564. Did

5564. Did you ever see him with Mr. Kinglake on more than one occasion?—I do not remember.

5565. You received this letter from Mr. Benjamin Lovibond?—I received it from my wife; it was sent to my house.

5566. Do you remember that you also required an authority from Mr. Kinglake's agent, and went to Mr. Henry Lovibond for that authority?—No, I had some poles as well, and I was asked about the poles and I said, if any person would give me authority to deliver them up I would do so.

5567. Do you not remember that you required authority from Mr. Henry Lovibond, "Dear sir, Mr. Charles Farr has informed me that you have some flag poles, and will deliver them up to any person I may appoint to receive them. I shall be obliged by your delivering them to the bearer. Yours, Henry Lovibond"?—Quite so.

5568. Upon reading that, do you remember that you required the authority of Mr. Henry Lovibond to deliver up the flags?—I did not require his authority in particular; I said, if I was desired to deliver them up by any of the agents I would do so.

5569. By the *Committee.*] Do you refer now to the flags or the poles?—The poles.

5570. Mr. *Powell.*] You required further authority as to the delivering up these flag poles, and got that from Mr. Henry Lovibond?—No further than that they were delivered up the same day as I received that note.

5571. Upon receiving that note from Mr. Henry Lovibond, you delivered up the poles also?—Just so.

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Re-examined by Mr. *Sleigh.*

5572. To whom did you deliver the poles?—The man who brought the note.

5573. Who was he; do you remember in whose employment he was?—I think he was in Mr. Smith's employment, I will not be certain, or Haslam; I do not know which of the two it was.

5574. Mr. *Powell.*] Was it not a person of the name of Haslam?—Haslam was there.

5575. Mr. *Sleigh.*] Was the person to whom you delivered them, and who brought the note, a man in the employment of John Smith, the grocer?—John Smith's man was with Haslam; whether the poles were delivered to him or not I cannot say. I do not think I delivered them myself. I spoke to him.

5576. You do not know which of them you delivered them to?—I do not.

5577. Whom did you deliver the flags to?—My wife delivered them to John Smith's man.

5578. By the *Committee.*] Had you any communication whatever with Mr. Benjamin Lovibond regarding the poles?—No.

The *Chairman* inquired whether Mr. Barham was a paid agent.

Mr. *Powell,* on behalf of Sir John Shelley, admitted that he was, and Mr. Royston admitted that he was on behalf of Mr. Kinglake.

ROBERT BUSSELL, recalled; Examined by Mr. *Sleigh.*

5579. DID you see, during the late election, Henry Chapman Bussell going about the town?—I did.

5580. In company with whom?—Sir John Shelley, Mr. Kinglake, and electors of Bridgwater.

5581. During the progress of the canvass?—It was.

5582. How often did you see them?—I might have seen him five or six times.

5583. What were they doing upon the different occasions when you saw them?—They were calling at the electors' houses.

5584. Were you at various times at the committee-room in Fore-street?—I was not in the committee-room; I was in the neighbourhood of the committee-room.

5585. Upon any occasion did you see Mr. Henry Chapman Bussell and the two honourable candidates going into that committee-room together?—No; I have seen Henry Chapman Russell, but not the candidates.

5586. Have you seen Mr. Henry Chapman Bussell upon more than one occasion at that committee-room?—I have never seen him at the committee-room; I have seen him entering by the door.

5587. Several times?—Yes.

5588. Did you attend the meeting at which Sir John Shelley and Mr. Kinglake first were, on entering the town?—I was, on the Cornhill.

5589. Did you see Henry Chapman Russell on that occasion?—I did.

5590. Where?—In the carriage with the candidates, and Mr. John Smith, of York House, held an umbrella over Sir John Shelley's head.

5591. Was it a wet day, or a very hot day?—It was a wet one.

R. Bussell.

Cross-examined by Mr. *Powell.*

5592. Was not Sir John Shelley addressing the crowd from this carriage?—Yes.

5593. Was it not very wet?—Yes.

5594. And, I suppose, besides Mr. Henry Chapman Bussell, you saw a great many others all round, listening to the Honourable Gentleman?—Oh, yes; there was a dozen persons that had clambered up into the carriage.

5595. Were there not hundreds there?—Not on the carriage, but there were, perhaps, 500 listening.

5596. When you say, on the carriage, where do you mean?—So that they were visible; they were not on the roadway, but on certain portions of the carriage.

5597. They might have stood on the wheels?—Yes, exactly.

5598. Now you say that you saw him calling, with the candidates, at the electors' residences?—Yes.

5599. Did you ever see Henry Chapman Bussell call, with Mr. Kingslake, upon any one?—I saw Mr. Henry Chapman Bussell, and others, in company with Mr. Kinglake and Sir John Shelley, the Honourable Candidates, calling at the different electors' houses; and my brother, with others, would stay round the door; round the neighbourhood of the house, just at the door.

5600. Now did you ever see Henry Chapman Bussell call, with the candidates, at the house of any person?—I have.

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5601. Give me the name of that house, and that person?—Well, it was Captain Lucas, or Mr. Lowman, a tailor, on the West Quay.

5602. That is one house that you saw them call at?—It was.

5603. Do you mean to say that they went in together?—No, I do not.

5604. What became of Henry Chapman Bussell?—They all stood at the door, conversing.

5605. How far is that from Henry Chapman Bussell's house?—It may be 150 yards; it is in the neighbourhood.

5606. In his immediate neighbourhood?—Yes.

5607. The same road?—It is.

5608. Now can you give me the name of any other house at which you saw him call?—I saw them in Little Chandos-street.

5609. Where is that?—A continuation of the same road.

5610. And I presume on the same day?—On the same day.

Mr. *Sleigh.*] Will the Honourable Chairman be kind enough to put a question which I ought to have put, whether he saw Mr. George Wilton about with the candidates.

5611. *Chairman.*] Will you answer that question?—Yes, repeatedly, Mr. George Wilton with the candidates in John-street.

5612. Mr. *Sleigh.*] What doing?—Calling upon the electors.

5613. With one or both of the candidates?—I would not be positive, but I am positive it was one of the candidates; for at the time the honourable gentleman may recollect I had a lamb painted blue following me as a dog, so I will swear positively to it.

5614. Mr. *Powell.*] Do I understand that you carried your partizanship to such an extent that you had a lamb painted blue?—There was a lamb followed me, and when I was in a public-house some one blued it over.

5615. It was indicative of the innocence of the Blue party, and yourself in particular?—I do not know why they did it.

5616. Now tell me about Mr. Wilton. Your answer to my friend was, whether you intended it or not, "I have seen George Wilton repeatedly with one or both of the candidates"?—I say repeatedly calling at different houses.

5617. Do you mean that on the same occasion you saw him calling at different houses?—Yes.

5618. That is what you mean by repeatedly?—Yes.

5619. Did you ever see him but that one day?—I cannot swear that I did.

5620. And you cannot tell the Committee which of the candidates it was?—I cannot; I swear it was either Sir John Shelley or Mr. Kinglake, or both.

FREDERICK CHARLES TEMBLETT, sworn; Examined by Mr. *Sleigh.*

F. C. Temblett.

5621. You are a baker, residing in High-street, Bridgwater?—I am.

5622. And an elector of the borough?—Yes.

5623. During the late canvass of the Honourable Candidates, Mr. Kinglake and Sir John Shelley, did you see Henry Chapman Bussell about?—Yes.

5624. With whom?—With the candidates.

5625. Whereabouts in Bridgwater?—In Chilton-street.

5626. Anywhere else?—Well, I do not know that I did anywhere else; I remember perfectly well in Chilton-street, but I cannot say anywhere else.

5627. Tell me what you know about Chilton-street?—I was there delivering bread, and I saw the candidates going from house to house with books in their hand, and Mr. Bussell accompanying them.

5628. Now you know Mr. Paul Reed, of course?—Yes.

5629. Shortly before the nomination day were you visited by the candidates?—I was.

5630. Was Mr. Paul Reed with them?—Yes.

5631. Who else?—Mr. Fletcher, Mr. Lovibond's clerk.

5632. By the *Committee.*] Mr. Benjamin or Mr. Henry Lovibond's clerk?—Mr. Benjamin.

5633. Mr. *Sleigh*] Did they come into your house?—No, I stood at the door.

5634. Who addressed you?—Mr. Paul Reed first.

5635. What did he say?—When they came towards me I shook my head, and I said, "I hope you don't expect me to vote for your party," and Mr. Paul Reed said, "Well, a compliment, Temblett, if nothing more. I suppose that you paid me the compliment of canvassing."

5636. Now, did Sir John Shelley make any observation?—Mr. Reed made an observation to me.

5637. We have heard that, I think?—No, I do not think you have. Sir John Shelley canvassed me, and I said, "No, sir, your programme won't do." He said, "What do you mean by the programme?" I said, "The address that you put out?" He said, "What is there in that you do not like?" and I said, "The great extension of the suffrage which you would sanction, and the vote by ballot."

5638. Those did not suit you, you told him?—I told him.

5639. Did Mr. Paul Reed make any observation about the programme?—Yes.

5640. Was that in Sir John's presence?—Yes, they were all together, as I stood at my door. Mr. Paul Reed said, "If the programme won't do, and the vote by ballot won't do, what would you say if I was to give you a little sugar? You know what I mean."

5641. What does sugar mean, in a political sense, in Bridgwater?—Money.

5642. Did you make any reply to the suggestion about the sugar?—No; he walked away immediately.

5643. By the *Committee.*] Did you answer that question?—I did not answer it. He walked away from me immediately, and walked backwards from me. I had no opportunity of answering it.

5644. He did not wait for an answer?—No.

Cross-examined by Mr. *Powell.*

5645. Sir John Shelley and Mr. Kinglake were both there?—They were both there.

5646. And you are quite sure they, both of them, had canvassing books?—Yes.

5647. Are

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5647. Are you positive?—Both candidates, do you mean?

5648. Yes?—I do not know whether both of them had; Sir John Shelley had.

5649. I thought you said both of them had?—I do not understand the question.

5650. You have mentioned that both the candidates had books. Is that true, or is it wrong?—I swear that one of them had a book.

5651. Now, where is Chilton-street?—Leading to Chilton, at the extreme end of the town.

5652. What day was it?—I cannot remember what day it was.

5653. It is near the river, is it not?—Yes.

5654. Is it on the same side of the town as the quay?—Well, there are two or three quays there; there is the East Quay and the West Quay.

5655. Is it the West Quay?—Yes; it is a long way from the bridge where Mr. Henry Bussell lives; it is nearly half a mile.

5656. On the same side of the river?—Yes; but it is not contiguous to the river.

5657. What day it was you cannot tell?—No, I cannot.

5658. I believe you are the brother-in-law of Robert Bussell, the last Witness?—I am.

Mr. *Sleigh* proposed, in order to save time, to read the evidence given on a former day by Webber.

Mr. *Powell* objected, that the Witness ought to be re-called and examined in the usual way.

The *Committee* intimated that it was not usual to read evidence, as they could refer to it.

CHARLES HENRY POOLE, sworn; Examined by Mr. *Sleigh*.

C. H. Poole.

5659. YOU are not an elector of the borough of Bridgwater?—No.

5660. It is your father who is an elector; is it?—He is a voter.

5661. Were you present when your father was canvassed by Mr. Kinglake and Sir John Shelley?—Yes.

5662. By whom were they accompanied?—Mr. Wilton, Mr. Hill, the baker, Mr. White, Mr. Wall, Mr. Henry Lovibond, Paul Reed, Mr. Smith, the grocer.

5663. Is that John Smith?—He is a grocer of York House.

5664. Did you hear what passed?—They asked my father for his vote and interest.

5665. And they went away, I suppose, after they had had a chat?—They had a long chat there.

5666. Was the canvass successful on their part; did your father promise?—No; he would not promise either one of them.

5667. With respect to Mr. Wilton, when the honourable candidates left, what became of Mr. Wilton?—He stayed behind, and had a long chat with my father.

5668. Did you hear it?—No, I was inside; I saw them chatting through a window, but I could not hear what they said.

Cross-examined by Mr. *Powell*.

5669. How old are you?—Twenty-one.

5670. Is your father the Mr. Poole who was called here yesterday as a witness?—I cannot say that; I don't know whether he was called yesterday, or no.

5671. Where were you yesterday?—In Bridgwater.

5672. When were you brought up?—Last night.

5673. To say this which you have told us today?—Yes.

Mr. *Sleigh* stated that John Smith, the grocer's name, had been mentioned several times, and they thought they ought to give evidence in respect of an act done by him, inasmuch as there was proof of agency; that was the only case which they proposed to travel into after the intimation of the Committee this morning.

GEORGE FENNER, sworn; Examined by Mr. *Sleigh*.

G. Fenner.

5674. DO you reside at Eastover, in Bridgwater?—Yes.

5675. You are a shop-keeper there?—Yes.

5676. An elector of the borough?—Yes.

5677. Do you remember the canvass previous to the late election; were you called upon by, and did you say anything to, Mr. John Smith?—Yes.

5678. How was that?—When I was passing over Bridgwater Bridge, about half way up the bridge, on Monday the 10th, which was the Monday before the election, a shopman of Mr. Smith's came to me and tapped me on the shoulder, and told me that Mr. Smith wanted to see me.

5679. And in consequence of what he said, you went to Mr. Smith's shop?—Yes.

5680. Did you see Mr. Smith there?—Yes, I did; in the shop.

5681. What did Mr. Smith say to you?—First of all, there was another person came in, by the name of Berry, his father-in-law, I believe; then Mr. Smith told me to go down into his warehouse, and he would be down to me soon.

5682. Did you go to the warehouse?—I did.

5683. Did you find Mr. Smith there?—No, not then, when I went in.

5684. Did he come down to you?—Yes; I had my arm resting on a sugar cask there, and in about five minutes, I should say, after I was in there, Mr. Smith came down into the warehouse.

5685. What did Mr. Smith say to you?—The first words that he said to me when he came into the wareroom was, he said, "Fenner" (pointing to the sugar cask), "that is going to win our election;" and he said, "If you choose to vote for

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Shelley and Kinglake, you may have some of it if you like.

5686. Did he say anything more about either Mr. Kinglake or Sir John Shelley?—Yes; he was telling me something about my son; he asked me if I had got any influence, or could use any influence over my son.

5687. Is he an elector, too?—Yes, he is an elector, too.

5688. What did you say to that?—Because if I could get him to vote for Shelley and Kinglake, Sir John Shelley was some kind of a director in a bank in London, and there would be a good situation looked out for me, and for a person of the name of Lamlin; there was a good situation for the both of them.

5689. What observation did you make?—I made the observation that I did not know whether I had got any influence over my son or not; I told him I would speak to him about it, and tell him exactly what he told me; and I said about the sugar, "Why don't you begin now."

5690. You were anxious to be sweetened at once, then?—Yes; then he made answer to that, and said, "Why, we do not know that Westropp has got any money, and it is no good at all to begin now, but we shall see about that to-morrow; I shall see you again about that to-morrow."

5691. Now, in your experience in Bridgwater, had you acquired a knowledge of what sugar means politically?—Yes.

5692. What does it mean politically?—It means money.

5693. When did you see him again; or did you have any further conversation upon that occasion with Smith?—Then he told me, "I shall see you again to-morrow."

5694. Did you see him the next day?—Yes, I did.

5695. What passed then?—I saw him again the next day, between five and six o'clock in the evening.

5696. What passed then?—There was a conversation passed between us; he asked me first of all whether I had spoken to my son about what we were talking about yesterday.

5697. What did you tell him?—I told him I had.

5698. What did you say to him that you had said to your son, or what he had said to you?—I told Mr. Smith that my son did not like such promises as that, that was the promise of the situation; "Well," said I, "how about going on now to-night;" then he said, "I cannot tell you anything at all about it; but you meet me at the "Anchor" between nine and ten o'clock, and I shall be there."

5699. In the course of the evening were you going towards the "Anchor"?—That was between nine and ten o'clock.

5700. Did you meet Smith on the way?—I met Smith near about the "Globe."

5701. What passed between you then?—He said, "Are you going towards the 'Anchor'?" and I said, "I am just going there;" "Because," he said, "it is no good at all to-night, for we have ascertained that Mr. Westropp has got no money at all." I said, "I could have told you that before;" and he said, "You had better go home and go to bed?" and I said, "You had better go home and go to bed yourself, if there is nothing at all to be done to-night."

5702. Go on, if you please; did he say anything?—Yes, he said something again to that; he said, "We shall begin to-morrow morning; we shall get the men into the 'Anchor,' into Bussell's and down to the 'Commercial,' at Mr. Phelps's, and then we can get them into the carriage, and send them up at once.

5703. I believe the next day you went to the poll, and polled for Mr. Westropp?—Yes, I went to the poll myself the next day.

5704. Now, with respect to this person, Mr. John Smith, the grocer, you have talked about, and told us about; had you any dealings with him in reference to the election of 1859?—I did.

5705. Whom did you vote for, then?—I voted for Mr. Kinglake and Mr. Tynte.

5706. Upon that occasion what passed between you and Mr. Smith?

Mr. *Powell* objected to the question.

Mr. *Sleigh* was heard in support of the question.

Mr. *Powell* was heard in reply.

The *Committee* decided that the question might be put.

5707. Mr. *Sleigh*.] What did you receive from John Smith in 1859 for your vote?—Not for my vote before the election.

5708. When was it, then?—It would be about a month or six weeks after.

5709. What did he give you?—A 10*l.* Bank of England note, and the words he used was, "We know that you ought to have more than that, but we have been led into such an expense one way and the other, that we cannot give you any more."

5710. Who canvassed you last year for your vote?—Mr. Shelley and Mr. Kinglake.

5711. Who was with them?—No one at all with them.

Cross-examined by Mr. *Powell*.

5712. You say you got 10*l.* in 1859 for voting for the Liberals?—Yes.

5713. And you were shown the sugar cask as emblematical of the sugar in 1865?—Yes.

5714. And of course you voted without any payment at all for Mr. Westropp?—I did.

5715. You were paid after the election, it seems, in 1859?—I was; but I was never promised anything from Mr. Kinglake, nor Mr. Tynte, but this was a gift.

5716. Mr. Smith walked in in a friendly sort of way, and left a 10*l.* note?—No; he called me into his shop.

5717. Put the 10*l.* note into your hand, with an apology for its not being more?—With an apology for not giving me more, because we had been led into such expense.

5718. And after all that you went and voted a plumper for Westropp?—I did.

5719. You neither received, nor expected to receive, a single farthing for it?—I do not.

5720. Whom did you vote for in 1857?—I believe for Mr. Follitt and Mr. Tynte.

5721. Whom did you vote for in 1852?—If you tell me the names perhaps I could tell you.

5722. Follitt, Lord Henley, and Kinglake?—Then I voted for Mr. Follitt.

5723. Now, in the cellar, you said to him very naturally, "Why don't you begin now"?—Yes, I did so.

5724. That is, that there was the man, and there

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there was the opportunity?—Yes; because he had told me that there was plenty of money in the town.

5725. When you said, "Why don't you begin now;" you meant, "Here I am, out with your money"?—Because he never asked me anything about matters in the way of money.

5726. This conversation about the bank you did speak to your son about?—Oh, to be sure I did; because I had the consent of Mr. Smith to say that I should apply to him.

5727. Whom did your son happen to vote for at the last election?—Why, he voted a plumper for Mr. Westropp.

5728. Like yourself?—Yes.

5729. He did not like the promise of the bank?—He did not like the promise, and I am quite positive that he was not going to vote for Mr. Kinglake and Shelley.

5730. You told Mr. Smith that he did not like such promises as those?—No.

5731. He preferred the cash?—No; I did not say a word about the cash.

5732. He said he did not like such promises?—No.

5733. You really mean to tell the Committee, do you, that having been bribed with a 10 *l.* note at the election in 1859 ——?—I was not bribed.

5734. You do not consider that bribing?—No; I consider that is a present, because I had no promise of it.

Mr. *Longfield* said they would now put in some documents which had been put in evidence before.

Mr. John Hankey Bingham Carslake; re-called.

Mr. J. H. B. Carslake.

5735. By the *Committee.*] You had better read these documents to us again?—The first is a letter from me to Mr. Lovibond of the 26th of June; a letter written to each of the professional gentleman,—to Mr. Lovibond, to Mr. Robert Bate, and Messrs. Smith & Son; and also to each of the candidates. "Dear sir,—I am desirous of making the requisite arrangements for the erection of the hustings and polling booths to be used at the ensuing election; and as the custom has been for each candidate to appoint one person to be associated in the work, I shall thank you to direct the individual who may be selected by ————," then the candidate's name is inserted ———— —"to be at my office on Thursday morning next, at 10 o'clock without fail, as I must then give directions for the works."

5736. Whose name did you insert in the letter addressed to Mr. Benjamin Lovibond?—That would be Sir John Shelley.

5737. Mr. *Longfield.*] You addressed it to that individual without stating who they were agent for?—No; there was a blank left, and a clerk would put in the name of the candidate for whom I supposed each gentleman was acting; that is merely a draft copy, if I may say so.

5738. You wrote in similar terms to each, without saying for whom they were agent?—Precisely.

5739. Mr. *Powell.*] This is the copy of a letter that was sent?—That of course I have not got; that is a draft, if I may say so.

5740. Mr. *Longfield.*] Did you get a reply to that?—Yes; this letter, from Mr. Benjamin Lovibond, dated the 28th of June 1865: "Dear sir,—In reply to your letter of the 26th instant, I beg to inform you, that Mr. Thomas Searle, of High-street, and Mr. Joseph O. Savey, of Eastover, are selected by Mr. Kinglake and Sir John V. Shelley, Bart., to assist in the erection of the hustings and polling booths. Yours truly, Benjamin Lovibond, by R. Fletcher."

5741. The bills for the hustings were paid?—Yes.

5742. You have them here?—Yes; and the agreement.

5743. By the *Committee.*] Did you receive a reply from Mr. Bate?—No; none at all.

5744. You are quite sure of that?—I have no recollection of it; my belief is that I did not.

5745. Mr. *Longfield.*] You have not a reply among your papers?—I believe not; nor to the best of my recollection, did I receive one from him.

5746. You have the bills of the hustings?—Yes; the bills are all here.

Cross-examined by Mr. *Powell.*

5747. Now, Mr. Carslake, you have known Mr. Bate, I presume, for some time?—Yes; many years.

5748. Has not he always acted as the agent of Mr. Kinglake?—Always.

5749. Was it in that capacity that you wrote to him the letter of which you have put in the draught?—Most distinctly.

5750. You never wrote to Mr. Benjamin Lovibond in reference to Mr. Kinglake?—Oh, no; I knew he was not acting for him; at least I was under the impression that he was not acting for him in any way; in fact, I may say, as far as one can know it, that he was not.

5751. Do you remember having some communication with Mr. Henry Lovibond on the subject of Mr. Kinglake?—I have no doubt I saw Mr. Henry Lovibond, and I think I may say several times, about Mr. Kinglake.

5752. Did you, from first to last, throughout the whole of the election, have any communication whatever with Mr. Benjamin Lovibond as the agent of Mr. Kinglake?—No, I did not; not in any way that I recollect; I may say certainly not.

5753. By the *Committee.*] Then you were extremely surprised when you received that letter?—Yes; I looked for some answer from Mr. Bate or Mr. Henry Lovibond.

5754. You were satisfied without any explanation?—I did not take any action upon it; all my duty there was to see who was to erect the hustings, and when I got the parties named I did not take any further trouble in the matter; I was not acting in the election at all.

Mr. JOHN WILLIAMS VEYSEY, sworn; Examined by Mr. *Longfield.*

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5755. Do you remember the last election at Bridgwater?—Yes.

5756. Do you remember on one occasion seeing Henry Chapman Bussell?—Yes.

5757. And Mr. Wilton, and some others in company with one or other of the candidates?—Yes.

5758. Tell the Committee which of the candidates they were in company with, and on what occasion?—He was in company with both, as I was going on the bridge, on the quay.

5759. Where is the quay?—I cannot say the name of the quay.

5760. Is it the same side as the Salmon Parade?—No, it is the opposite part of the river; they went over the bridge, and went towards that way.

5761. Who were together then; the two candidates, Henry Chapman Bussell, and who else?—I think Mr. John Smith and Mr. Wilton.

5762. What were they doing; were they going from house to house canvassing?—They apparently were.

5763. Did you see them on any other occasion canvassing; did you meet them at other times in the street?—Yes; I saw them in Chandos-street, as I was going home, just at the back of my father's house.

5764. Who were together then; was Chapman Bussell there?—I cannot remember; I did not see Bussell particularly; I recollect Sir John Shelley by his white hat.

5765. Do you recollect Mr. Kinglake on that occasion?—I think so.

5766. Did you see them at various other times together?—I think I have on other occasions.

5767. Just try if you recollect seeing them together during the election at other times?—I saw Henry Bussell in St. John-street; they were stopped then talking.

5768. With whom?—Sir John Shelley and Kinglake was there then, and Mr. Wilton, I believe.

5769. On two occasions you saw them with Mr. Kinglake and Sir John Shelley; and on the other occasion with Sir John Shelley; did you see Mr. Kinglake with Mr. Henry Chapman Bussell on two occasions?—I did.

5770. And on the other occasion, as your memory serves you, you thought you saw him, but you were not so positive?—I am not so positive then.

5771. Did you know the committee rooms?—Oh, yes; in Fore-street.

5772. Were these committee rooms posted up with the usual placards?—Yes.

5773. Do you recollect what were the terms of the placard?—Kinglake and Shelley's committee rooms, I believe.

5774. Did you see other committee rooms besides?—At George Phelps's.

5775. Was that posted up as a committee room?—I am certain that that was posted up also in the window.

5776. Have you seen Bussell going into either of those committee rooms?—Yes, chiefly in the evening, between five and six, or six and seven.

5777. Into which committee room have you seen him frequently go?—Into Fore-street; I do not remember seeing him go into the other.

5778. Have you seen him more than once going into that committee room?—Oh yes, more than once, I am positive.

5779. Have you seen Mr. Benjamin Lovibond canvassing in company with Mr. Kinglake and Sir John Shelley, or either of them?—On two occasions; I saw him canvassing in Cornhill, coming towards Fore-street. On another occasion he was riding in Berkeley-street, and I was riding at the time, and I rode up to him, and I remember what they mentioned to me at the time.

5780. Was Mr. Kinglake there?—Mr. Kinglake was there. Sir John Shelley and Mr. Benjamin Lovibond riding; Mr. Paul Reed, Mr. James Dunn Sully, and Mr. Thomas Hill, the baker, I remember; I think there was another, but I cannot positively swear.

5781. Did anything pass on that occasion?—They were called from door to door in Berkeley-street; Mr. Benjamin Lovibond on horseback, Mr. Paul Reed, Mr. Hill, the baker, and Mr. James Dunn Sully.

5782. And the candidates?—And the two candidates.

5783. Did you see them on more than one occasion?—I saw Mr. Benjamin Lovibond in Fore-street, and that time in Berkeley-street; I do not recollect particularly any other time.

5784. Did they canvass you, or ask you to go over to the other side?—Mr. Paul Reed spoke to me in fun, and said I had better turn round and join them.

Mr. *Powell.*] You may go, Mr. Veysey.

FRANCIS HILL, sworn; and Examined by Mr. *Sleigh.*

F. Hill.

5785. YOU live down at Bridgwater, and are a labourer there?—No, I sell fish.

5786. Now, at the last election were you employed by Mr. John Smith to do anything?—A fortnight before the election I was walking over the bridge.

5787. Did he employ you, and give you directions as to what you were to do about the election?—Yes, he did.

5788. What did he tell you to do?—The first day he told me to go and look about after the other party, to see if they were doing anything; one of the name of Finner he told me to look after.

5789. To keep your eye open?—Yes.

5790. What did he employ you to do manually; anything with the band?—The next day he had a kind of trap painted up, and sent some men round to represent the other man that was coming, Mr. Edwards.

5791. Were there banners and flags?—Yes, he gave me instructions to hire 20.

5792. You hired 20 men to carry flags and banners?—Yes.

5793. There was a band during the election?—Yes.

5794. Did he give you any directions about the band?—Yes; Mr. Henry Bussell gave me orders to take it to the Fountain.

5795. Which

5795. Which Bussell is that?—Henry Bussell, who keeps the "Anchor."

5796. Who gave you the money to pay the colour-men?—Mr. Smith paid them himself; I called them in one by one.

5797. Who paid you for your services?—Mr. Smith.

5798. How much did he pay for your services?—About 2 *l.* There was a little debt between him and me, and 10*s.* he gave me.

5799. Now, in the fun of the election you lost your hat, I believe?—Yes.

5800. You know Mr. George Wilton?—Yes.

5801. What did he say about that?—He promised to give me another.

Cross-examined by Mr. *Powell.*

5802. What did you say you were?—I sell fish, and a hawker.

5803. What else do you do?—No, nothing else that I know of.

5804. Are you a householder?—Yes, I keep a house.

5805. What do you do there?—I does nothing there myself.

5806. Have you been before the magistrates?—Yes, many times for a drop of drink.

5807. For anything else?—Well, I believe once I was had before them for something else.

5808. What was that?—One time I had some sailors at my house, and one of them started away with the other man's clothes, and I went for a serjeant of police to see what he took away; and they wanted to make me pay 5 *l.* for his clothes.

5809. Wanted to make you pay 5 *l.* because some one ran away with his clothes?—One of his own shipmates, the man who brought him to the house, took them away, and I could not contradict him.

5810. Were they cruel enough to fine you 5 *l.*?—No.

5811. Were they cruel enough to say that you kept a disorderly house?—I never was up myself.

5812. Upon your oath, were you not brought up before the magistrates for keeping a disorderly house?—No.

5813. What were you had up for?—For nothing of the sort.

5814. Now, be careful?—Yes, I am.

5815. Are there women in your house?—My wife is.

5816. Is she living there now?—I believe she is.

5817. When did you see her there last?—Last Thursday.

5818. Are there other women in the house?—No.

5819. At the time the sailors were there, were there women in the house?—No, nothing of the sort; I boarded the sailors.

5820. And their women?—No, never; no women with them.

5821. I ask you if you have not been charged before the magistrates with keeping a disorderly house?—Never in my life.

5822. What was this about the 5 *l.*?—There were some sailors stopping; they stabbed some man, and some of them were committed and sent to trial, and this one who got out of it comes and claims the things out of the chests. I could not say whose things they were; and I sent for the serjeant of police, and he did not come, and I made a woman come and make a list.

5823. What about the 5 *l.* that they told you you were to pay?—This chap did.

5824. What were you brought before the magistrates for?—They wanted to make me liable for these clothes, because they were left in my house.

5825. What did the magistrates do with that?—The magistrates turned me away.

5826. How many times have you been before the magistrates altogether?—Perhaps I may for getting a drop of drink and punching a man sometimes.

5827. How many altogether?—Three or four times.

5828. Do not be so modest; suppose we say a dozen?—Nothing of the sort.

5829. Suppose we say ten?—No, nor yet ten.

5830. Will you swear it was not ten?—No, never in my life.

5831. Will you swear you have not been before the magistrates six times?—I cannot say whether it may be six or may be four or five.

5832. Or may be six?—It may be six; I never was in a gaol but a night in my life, and that was for one night.

Mr. *Sleigh* stated that that would be the case on the part of the petitioners; but that there were other cases which were opened, in respect of which he was in a condition to go on; but, in deference to the intimation of the Committee, he would not do so.

Mr. *Powell* asked the Committee whether there was sufficient proof of agency to call upon them for an answer.

The *Chairman* stated that the Committee certainly thought so.

Mr. *Bristow* was heard to address the Committee on behalf of Mr. Kinglake, the standing Member.

Mr. *Powell* stated that he did not propose to address any observations to the Committee now, but should leave Mr. Bristow to open the case on both, on behalf of Mr. Kinglake and Sir John Shelley, although the Committee were to understand that the cases were quite distinct.

Mr. *Powell* also stated that Mr. Benjamin Lovibond was seriously ill, and that he had his medical attendant from Bridgwater, and also Dr. Partridge of London, who would depose that he was unable to attend the Committee to be examined.

Mr. ROBERT BATE, sworn; Examined by Mr. *Powell.*

Mr. *R. Bate.*
24 April 1866.

5833. I BELIEVE you are a Member of one of the Inns of Court and practice as a Conveyancer under the bar?—I do.

5834. And have done so for some time in the borough of Bridgwater?—I have.

5835. You are also one of the magistrates of that borough?—I am.

5836. Did you in the year 1852, in conjunction with Mr. Henry Lovibond, introduce Mr. Kinglake as a candidate to the electors of the borough?—I did.

5837. And have you, from that time to the present, been his agent?—Yes, I have.

5838. I presume you know Mr. Benjamin Lovibond very well?—I do.

5839. He is a solicitor practising at Bridgwater, and a gentleman of great respectability in his profession?—He is.

5840. Has he been at any time the agent of Mr. Kinglake?—Never.

5841. Did you ever know him to act in that capacity?—Never.

5842. I presume you know Mr. Henry Lovibond?—I do.

5843. I understand that that gentleman is not a relation of Mr. Benjamin Lovibond?—Not that I am aware of.

5844. He also is a solicitor in the town?—He is.

5845. Did you act and consult with him during the last election on behalf of Mr. Kinglake?—I did.

5846. Did Mr. Benjamin Lovibond, at the last election, act on behalf of Sir John Shelley?—Yes.

5847. Now, I understand that there were some rooms engaged in the borough with reference to the business of the election?—There were.

5848. Three?—Yes.

5849. What were those rooms for?—For the electors to meet together to hear what was going on in the town; they were not used for any other purpose that I am aware of.

5850. Were there meetings held in the evenings?—There were.

5851. Did the electors come there?—They did.

5852. To hear addresses from the candidates?—Yes.

5853. Was there any door-keeper there, or anything to prevent any elector from walking in who thought fit?—Not that I am aware of.

5854. Do you remember receiving a letter from Mr. Carslake, the town clerk, asking you to name a person on behalf of Mr. Kinglake to erect the hustings?—I do.

5855. To whom did you refer him to communicate with on Mr. Kinglake's behalf?—I sent or delivered the letter to Mr. Henry Lovibond.

5856. I presume you yourself do not know of your own knowledge how Mr. Benjamin Lovibond came to write a letter in reply to that letter?—No, I know nothing about it.

5857. You were Mr. Kinglake's agent, and I ask you from first to last during that election, to your knowledge or belief, was any money whatever offered for a vote on behalf of Mr. Kinglake by any person who was any one of his agents?—Not a shilling nor a penny, to the best of my knowledge; I never heard of it at all.

Cross-examined by Mr. *Longfield.*

5858. You did not yourself take a very active part in this election?—I did not.

5859. Did you ever canvass?—Well, I cannot say that I did not, for I have met them in the street once or twice, and gone perhaps a hundred yards with them.

5860. But in truth you did not canvass with them at all?—No.

5861. Used you to go often to Mr. Benjamin Lovibond's, to inquire how things were going on?—Yes.

5862. And consult with him?—No, I never consulted with him; I went over to hear what was going on.

5863. Did you see the committee-rooms placarded?—I do not remember that they were placarded, but I know there were rooms.

5864. Do you know a man of the name of Webber?—No, I do not, that I am aware of.

5865. Used you ever to go to the committee-rooms yourself at all?—No, I went there of an evening to hear the speeches, and that is all; but I do not know the man Webber, unless I saw him.

5866. Do you know of a committee?—I never heard of a committee.

5867. Just look at that circular, and say if you have seen any circulars like that?—No, I never saw that before, and I never heard of one before.

5868. You never heard of this circular: "The committee for conducting the election of Mr. Kinglake and Sir J. V. Shelley will meet at the committee-room, Fore-street, this evening, at seven o'clock. Your attendance is particularly requested.—Bridgwater, 7 July 1865"?—No.

5869. You know very little about it?—Very little indeed.

5870. Then you were not paid for your services, I think?—I was not.

5871. When Mr. Kinglake called, you gave him the best advice that you could think; but you were not paid, and you have not acted?—I certainly did not take a very active part, but still I was a partisan of Mr. Kinglake.

5872. But you were not paid?—I was not paid, certainly.

5873. You trusted, in truth, to Mr. Benjamin Lovibond to see about the hustings and everything?—To Mr. Henry Lovibond.

5874. But he sent to Mr. Benjamin Lovibond?—I do not know about that.

5875. You took it for granted that the thing was done, and that it would be well done?

Re-examined by Mr. *Powell.*

5876. You say you took an active interest in the election?—I did.

5877. Mr. Benjamin Lovibond acted for Sir John Shelley?—Yes.

5878. Were you in communication with Mr. Lovibond, to know how Sir John Shelley was getting on?—Yes.

5879. By the *Committee.*] You received a letter from Mr. Carslake?—I did.

5880. And did not answer it?—I handed it to Mr. Henry Lovibond, who was agent for Mr. Kinglake.

Mr. HENRY LOVIBOND, sworn; Examined by Mr. *Bristow*.

5881. I THINK you are the Registrar of the County Court at Bridgwater, and in practice as a solicitor there?—I am.

5882. You and Mr. Bate, I believe, originally introduced Mr. Kinglake in 1852, as a candidate for Bridgwater?—We did, in opposition to Mr. Benjamin Lovibond's party.

5883. Before that you had one Conservative and one Liberal in the town?—We had.

5884. And you wished to put a stop to that neutralising system?—We did.

5885. And from that time to the recent election, have you always acted on behalf of Mr. Kinglake?—Always.

5886. Mr. Benjamin Lovibond acting on behalf of what was called the Tynte party, I believe?—He did; I never acted for the Tynte party.

5887. And he also acted, I believe, on behalf of Lord Henley, who was in the same interest?—He did.

5888. We hear that he acted for Sir John Shelley at the last election?—He did.

5889. Now we hear about some rooms being engaged; were there three rooms?—The first room that was engaged was at Mr. Manchip's, at the western end of the town.

5890. Was that an hotel?—No, a private house; but that was found to be inconveniently situated, and afterwards another room was engaged more in the centre of the town.

5891. Where was that?—That was at Mrs. Hooper's.

5892. That is a private house too?—Yes, that is a private house; in fact, it was an unoccupied house at the time.

5893. Where was the other?—The other was at the "Commercial Hotel," in another part of the town.

5894. Do I understand that at these rooms you had legal persons on behalf of Mr. Kinglake?—We had; Mr. Havilland was there.

5895. He was not on behalf of Mr. Kinglake, was he?—I beg your pardon; no, he was not; he was on behalf of Sir John Shelley.

5896. Who was there on behalf of Mr. Kinglake?—I really forget his name, but some person was employed.

5897. We hear that the business of the election was conducted by the professional men of these places?—It was conducted entirely by the professional men; in fact, they were the committee; there was no other committee.

5898. In the sense of a nominated committee, there was not one?—There was not; I may say that one committee-room that you are speaking of was hired for the purpose of hearing the candidates speak on the evening after their canvass, explaining their views, at which anybody could attend who thought proper.

5899. Persons of your party, or persons of the opposite party, could have come if they liked?—Persons in Mr. Westropp's interest could have come, but I doubt whether they would have heard, for I doubt whether they would have been tolerated there.

5900. Mr. Carslake has said that he sent a letter to the different candidates; do you know that one was sent to Mr. Bate?—I do.

5901. On behalf of Mr. Kinglake?—I saw the letter.

5902. How did that letter come to you from Mr. Bate?—Mr. Bate requested me to attend to it, and upon that I sent to Mr. Benjamin Lovibond, and stated that Mr. Serle would be employed on behalf of Mr. Kinglake; and Mr. Benjamin Lovibond said he should employ Davy on behalf of Sir John Shelley.

5903. That Serle would be employed on the hustings business for Mr. Kinglake?—Yes; and upon that I requested Fletcher, the clerk, to write a note to Mr. Carslake stating so.

5904. That Fletcher is a clerk to Mr. Benjamin Lovibond?—Yes.

5905. Was this at Mr. Benjamin Lovibond's office?—This was at Mr. Benjamin Lovibond's office; I may say that Mr. Benjamin Lovibond is my senior, and therefore, as an act of courtesy, he used to send for me, and I used to go there.

5906. That is the usual practice?—Yes.

5907. That letter which Mr. Carslake has produced is a letter in accordance with these instructions?—The letter which Mr. Carslake has produced from Mr. Fletcher.

5908. Now, I will ask you generally, to your knowledge, from first to last, has any money whatever been expended on behalf of Mr. Kinglake in obtaining votes for or on behalf of Mr. Kinglake in any way whatever, to your knowledge?—Never; not a shilling beyond the amount returned to the election agent.

5909. By the *Committee.*] Or promised?—Or promised.

5910. Mr. *Bristow.*] Or intended?—Or intended.

5911. Did you go canvassing with Mr. Kinglake, your principal?—I did.

5912. You have heard what has been said about Mr. Benjamin Lovibond going canvassing?—I recollect his coming, when I was out canvassing one day, on horseback, and riding on in the street talking to me, and I think he spoke to one of the candidates; but I never knew of his asking for a vote, except of Heal and Cooke, and I was not with him at that time.

5913. That is all the canvassing of Mr. Benjamin Lovibond that you know of?—That is all that I know of; he did not get off his horse; he is a cripple.

5914. You never heard him ask any voter at all yourself?—I never heard him.

5915. Now as to this man, Henry Chapman Russell, that we have heard of, did you ever see him going canvassing in company with Mr. Kinglake?—I have never seen him canvassing with him, but on one occasion he came and spoke to us in the street while we were going through the street canvassing,

5916. Where was that?—I think that was in Eastover.

5917. That is a part of the town of Bridgwater?—Yes.

5918. By the *Committee.*] Over the river?—Over the river.

5919. Mr. *Bristow.*] Was he accompanying you, in any sense of the word, canvassing?—Certainly not, that I am aware of; and I have been out regularly, I suppose, with Mr. Kinglake, with the exception of one day.

5920. Did you ever have Mr. Smith, the sugar man, in your company?—Only on one occasion.

Mr. *H. Lovibond.*

24 April 1866.

5921. On what occasion was that?—That was in Eastover.

5922. He lives there?—He lives there.

5923. Did Smith go with you from house to house?—No, he remained a little while in the street while we were going from house to house.

5924. Was he talking with you?—I am not aware: I dare say he might have said something.

5925. He was a supporter of your party?—He was an active supporter of our party.

5926. But in the sense of going about and asking for votes with you, or going about with you canvassing, did he ever do that at any time?—Never.

5927. Was there any arrangement of any sort or kind that he should accompany you?—None whatever; he was never asked.

5928. Did he look as if he was busy about his sugar when you saw him?—Very busy; he was a very active man.

5929. Was he outside his own shop?—I recollect seeing him outside his own shop on one occasion; it was down in the street.

5930. He just came outside of his shop with his apron on?—I am not certain about that.

5931. That is the only time that you remember anything in the canvassing way about him?—That is the only time.

5932. Did you ever recognise him, in any sense of the word, as an agent?—Never.

5933. Or deal with him in that capacity?—Never.

5934. Or take any information about voters?—Never.

Cross-examined by Mr. *Longfield.*

5935. Look at that circular; have you ever seen circulars of that kind (*handing one to the Witness*)?—Yes.

5936. In whose handwriting is that part of the circular which is written?—I cannot tell you.

5937. Do you know Mr. Webber?—I do.

5938. Do you know that he kept the room in Fore-street?—I do not know that he kept the room, but I have seen him there.

5939. Do you know that he was hired to attend this room, and did so?—I recollect employing him to deliver the addresses.

5940. Here is the account: "James Cooke, Esq., to G. Webber. To 11 days' attendance at the committee-room, posting circulars, and distributing, 4*l.* 5*s.*"?—He was employed by Mr. Cooke, at Mr. Lovibond's, and my suggestion.

5941. Do you know that that man was engaged by John Smith and was paid by the committee?—I do not.

5942. Would you be surprised at his stating that he was?—I heard it and I was surprised.

5943. Do you not know that he attended the committee frequently, and was paid for 11 days' attendance?—I do not; I saw him there on one occasion.

5944. Did you check these bills for Mr. Kinglake?—The bills that have been returned?

5945. You are aware that Mr. Webber swore he was engaged by John Smith?—I am aware of it.

5946. Now, I believe at the time of the election Mr. Bate was in a delicate state of health, and did not take an active part in it?—No; he has not taken an active part.

5947. Did you go frequently to Mr. Benjamin Lovibond's office?—Frequently.

5948. And had long interviews with him on the subject of the election?—Certainly; I may say that the election was conducted by Mr. Benjamin Lovibond and myself.

5949. And, according to professional deference and courtesy, the younger went to the senior?—Certainly.

5950. You were frequently at Mr. Benjamin Lovibond's office?—Certainly.

5951. Did you see the candidates there?—No; I do not recollect seeing the candidates there.

5952. Is there an inner office to Mr. Benjamin Lovibond's?—There are two offices, one on the left and the other on the right.

5953. Do you know Mr. Eustace Barham?—Perfectly well.

5954. I presume that you did not accompany the candidates all the day, but when you got tired allowed other men to go with them?—No, I went all day, with the exception of the day when I was from home.

5955. Then were the two candidates together all day?—The two candidates were together all day when I was with them.

5956. Their canvass was joint?—Their canvass was joint; it was arranged by agreement between me and Mr. Benjamin Lovibond, the one representing Mr. Kinglake and the other representing Sir John Shelley.

5957. You arranged that they should join interests, and every person who was asked to vote for one should be asked to vote for the other?—Oh no; I might ask for a vote for Mr. Kinglake and Mr. Reed would ask for Sir John Shelley.

5958. The canvass was a joint canvass, and when they went to the voters the voters would be asked to vote for both?—Oh certainly.

5959. Was Mr. Barham active in the canvass?—I do not think he went out with the candidates, excepting on one occasion, and that was to Messrs. Heal and Cooke; he went to canvass them privately.

5960. Has it also happened that, at times, each candidate would take a district and go separately to canvass with some friends and different parties?—No, not that I am aware of.

5961. Then is it the fact that they never canvassed separately?—I cannot speak to the day when I was from home.

5962. With the exception of that day is it the fact that they never canvassed separately, or never went about the town separately, each attended by some friends?—That is the fact, with the exception of Sir John going to canvass Mr. Forde, an out-voter, on one occasion.

5963. With that exception the canvass was a joint canvass throughout?—Certainly; they went together.

5964. They never went separately to any of the voters?—No.

5965. Was not the usual mode of canvassing to go to the door and rap, and then for the candidates to go in and have a conversation with the elector, the other gentlemen accompanying them remaining outside, or did they go in a body into the house?—No, there were two candidates and two professional men, the others remained outside generally.

5966. And gave their countenance to the canvass?—I dare say that was the case.

5967. And

5967. And I suppose these gentlemen canvassed occasionally by themselves?—I am not aware.

5968. Were the friends directed to be active, and to canvass when the candidates were not present?—I really do not understand your question.

5969. You were accompanied from time to time by some friends?—No, not from time to time; occasionally we were; but several times I have been out with Mr. Kinglake and Sir John Shelley and Mr. Reed, and no one else was there at all.

5970. You said, I think, that Mr. Bussell only joined you once?—He joined occasionally.

5971. And, I suppose, went half a street canvassing and calling at each door?—No; he was only once with us, that I recollect.

5972. You have just said that he might join you occasionally?—That different people might.

5973. Is it a fact that John Smith and Bussell occasionally joined you for a little space, while you and your friends were canvassing?—I have stated that Mr. Smith joined us on one occasion and Mr. Bussell joined us on one occasion.

5974. Did Mr. Wilton join you occasionally?—On one occasion only I recollect asking Mr. Wilton, I think it was at the time when he had been on a journey, and this was the last day of our canvass, when he came home.

5975. You have no recollection of seeing Mr. Benjamin Lovibond more than once?—Only once.

Mr. *H. Lovibond.*

24 April 1866.

Re-examined by Mr. *Powell.*

5976. You say you saw Mr. Wilton there the last day of the canvass?—Yes.

5977. Had he been out of town during the previous part?—He had been out of town on a journey.

5978. You have spoken about the mode of canvassing; I presume you took a street, and having ascertained what electors lived in the street, you called at the houses?—Certainly.

5979. On any occasion was there less than a gentleman on each side who applied for the vote?—Never.

5980. Did the agent for Sir John Shelley ask for a vote for Sir John, and did Mr. Kinglake's agent ask for Mr. Kinglake?—Certainly.

5981. By the *Committee.*] Did you authorise Mr. John Smith to pay any money on behalf of Mr. Kinglake?—Never.

5982. You never have paid any?—Never.

5983. Then if he hired 20 or more colour-men, and paid men for distributing circulars, and taking any other part in the election, you understood that that was at his own cost?—Entirely; I never was aware that he had done so, and I am not aware of it at the present moment.

Mr. Eustace Barham, sworn; Examined by Mr. *Powell.*

5984. Are you a Solicitor practising at Bridgwater?—I am.

5985. We understand that you were appointed the agent for election expenses of both the candidates?—I was, for Mr. Kinglake and Sir John Shelley.

5986. Now we have heard a statement from a person of the name of Heal with reference to what is alleged to have taken place at the election; do you know Mr. Heal, the brewer?—Yes, I do.

5987. Has he been a client of yours?—Yes.

5988. Do you remember, at the time of the election, having occasion to see him with reference to the purchase of a house?—With reference to the sale of a house he had bid for at an auction, which we had held shortly before.

5989. Do you remember, while you were engaged in that transaction, having been informed that Heal had gone over to the other party?—Yes.

5990. You were aware, I presume, of what Mr. Heal's political votes had been on previous occasions?—I had always understood that he was on the Liberal side before.

5991. Now while you were there, on the occasion of this sale, did you have any conversation with him upon that subject?—Yes.

5992. Did you tell him of the rumour that you had heard, that he was going over?—Yes.

5993. What did he say?—He said he had been very badly treated by the Liberal party; and he alleged two causes of complaint; one was with respect to a sum of 40*l.* which he said had been promised to him by a Mr. Foster.

5994. Who was Mr. Foster?—Mr. Foster had been first a clerk, and then an articled clerk, in the office of Mr. Benjamin Lovibond, and had then been admitted as a solicitor; and after being admitted as a solicitor he had continued in Mr. Benjamin Lovibond's office.

Mr. *E. Barham.*

5995. Had he acted for Colonel Tynt?—I understand that he had acted for Colonel Tynt.

5996. And this was the gentleman that Mr. Heal complained to you about?—That was the gentleman that Mr. Heal referred to.

5997. I believe, at the time of this conversation, Mr. Foster was dead?—Mr. Foster was dead.

5998. Did you remind Mr. Heal of that?—I should say that Mr. Heal went into the matter at some length, and explained what it was that he complained of. He said that he had seen a list produced to him by Colonel Tynt, in which his name was entered as having received 40*l.*, but he had not had the money; I reminded him that whether it was true or whether it was not true, Mr. Kinglake and Sir John Shelley had nothing to do with that transaction.

5999. Did you say something about Mr. Foster being dead, and that bygones ought to be bygones?—I do not remember that.

6000. Did Mr. Heal seem angry about the matter?—He did seem angry.

6001. Was anything said upon that occasion about a public-house?—Yes, that was his other cause of complaint.

6002. What was that?—He and his partner, Mr. Cook, had a public-house on the Bath Road, and they had made three or four applications to the Bridgwater magistrates for a spirit license to that house, but had been refused on every occasion; I think I made two or three applications for them myself, in my capacity of their solicitor; and on the last occasion two other persons also made applications for licenses for houses closely adjoining Heal and Cooke's house.

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Those two applications were granted, but Heal and Cooke's was refused, and they thought that they had very great cause of complaint, because Heal said that the majority of the magistrates on the bench were Liberals, and that he ought to have had different treatment from them; that was his cause of complaint, and he rather particularly complained of Mr. John Brown, one of the leading magistrates in Bridgwater, and for whom he had many years before been a foreman in his brickyard.

6003. I believe Mr. Heal had been a brickmaker?—He had been a brickmaker and foreman in Mr. Brown's brickyard before he started as a brewer.

6004. Do you remember anything being said as to applying to the magistrates on the subject?—I gathered from what he said that he wanted some kind of promise; that was the impression that he conveyed to my mind.

6005. Mr. *Longfield.*] Did he say anything to you?—I do not remember that he said so; but it was an impression that presented itself to my mind, and upon which I acted at the time, in what I then said to him.

6006. Mr. *Powell.*] Whether your impression was correct or incorrect, was an impression produced in consequence of which you said something?—In consequence of which I said that he must be very well aware that any promises upon any such subjects were entirely out of the question; and I reminded him that upon previous occasions, quite irrespective of any election, I had always declined to say one single word to any of the magistrates with respect to any application I was going to make to them.

6007. Do you remember about anything being said of the chances of success of such private applications?—Yes, I do. Also, among other things, I remember saying "It is for you to consider how far you will increase your chances of success at the next licensing meeting by taking the course which you are now going to pursue." And I should mention that I had two interviews with Mr. Heal, both at his counting-house, and on both occasions very much the same ground was gone over. But on the second occasion I particularly remember that he said, "I do not care about the license," which occasioned me some surprise at the time, but I remember it distinctly.

6008–9. Did he continue his complaint about the 40 *l.*?—I thought, at the second interview, that he appeared to waver. I thought he did not seem quite so firm in his resolution as he had been before, and I then said to him, "Will you see Mr. Lovibond, who I am satisfied knows nothing about the 40 *l.*, and have an assurance from him?" and he said he was ready to see Mr. Lovibond at once. Mr. Foster had been in Mr. Lovibond's office, and Mr. Heal appeared to connect Mr. Foster's acts with those of Mr. Lovibond; and I had previously told him that I felt satisfied that Mr. Lovibond knew nothing about it, and I thought that if he received some assurance from Mr. Lovibond that it might have some effect upon him.

6010. You told us just now, I think, that he had seen a book at Colonel Tynt's?—Yes.

6011. What did he say when you suggested that he should see Mr. Benjamin Lovibond?—He said he was ready to see Mr. Lovibond at once. And I said, "Come at once with me." He said, "I would rather not." While we walked down together I said, "Very well, I am going down there, and I shall be down there in half an hour's time, and you can meet me there."

6012. Did you accordingly leave him?—I accordingly left him, and I went to Mr. Lovibond's office.

6013. Something has been said about one going out at the front door and the other at the back; were you at the office before he arrived?—I was in Mr. Lovibond's office before he arrived.

6014. I believe there are two ways of entering the office?—When you come into the office door there is one room on the right, which is Mr. Lovibond's office proper, and on the left there is a clerk's office; and opening out of that office again is a third room, which is also a clerk's office, occupied by Mr. Fletcher.

6015. An ordinary client going in would not go to Mr. Lovibond's private room, but to the clerk's office?—He goes into the clerk's office, and then he is shown into Mr. Lovibond's room, or into the other, as may be most convenient.

6016. You were there when he arrived?—I was.

6017. Tell the Committee what took place in Mr. Lovibond's office with Mr. Heal. In the first place, was anybody present, except you, then?—There was no one present except Mr. Benjamin Lovibond, Mr. Heal, and myself.

6018. Tell the Committee what took place?—Mr. Heal again referred to the subject of the 40 *l.*; that I distinctly remember; and it appeared from what he said that Mr. Lovibond formed the same impression that I had previously done with respect to the license; for Mr. Lovibond said, "You must well understand, Mr. Heal, that any promise is entirely out of the question." That I remember his saying.

6019. What took place then?—I think he also alluded to the question of the license, but I am not quite certain about that, because I had previously gone over the same ground with him, and I am not sure whether he said anything about the license or not; but my impression is that he also referred to the license, and Mr. Lovibond said to him, "This is no time for any promise; the only question we have to ask you is, do you intend to desert your old party, or are you going to vote for Mr. Kinglake and Sir John Shelley.

6020. What did Heal say to that?—Well, Heal hesitated about that, and wanted to know whether he should be employed about the election. Mr. Lovibond said he really could not say whether he would be employed or not; and then I remember that Mr. Lovibond also asked him, although I do not remember the exact order of the question, what his idea was with respect to the prospects of the election.

6021. What did he say to that, if anything?—Well, he seemed to think that unless money was paid on the Liberal side that Mr. Westropp would be returned. That was what Mr. Heal said. Then Mr. Lovibond said, "Well, that is your opinion;" and it resulted at last that Heal promised to vote for Mr. Kinglake and Sir John Shelley,—at least so I understood. I understood him to promise to vote for both.

6022. What was then done or said?—Then Mr. Lovibond said, "Mr. Kinglake and Sir John Shelley are in my office, should you like to see them?" There was another thing which Mr. Heal said, which I also remember, he requested

Mr.

Mr. Lovibond not to say anything about his having promised to vote at present.

6023. Do you recollect that being said before he was introduced to the candidates?—I have no doubt that that was said before he was introduced to Mr. Kinglake and Sir John Shelley.

6024. Recollecting that, does it confirm your impression that he promised these gentlemen?—I distinctly understood that he promised both the gentlemen to vote for them.

6025. Did he state the reason why he did not wish it mentioned?—Yes, he did, either then or shortly afterwards, in the presence of Sir John Shelley and Mr. Kinglake; and I rather think he stated the same reason to myself and Mr. Lovibond: it was, that he had been in the enemy's camp, and there would be a great row about it.

6026. You say it was suggested to him that the candidates were in the office, and that he should see them?—He was introduced into the office, and either Mr. Lovibond or myself gave his name and announced him as having promised to vote for Mr. Kinglake and Sir John Shelley, and they both thanked him, and shook hands with him; and he said to them, "I have to ask you, gentlemen, not to mention this, for I have been in the enemy's camp." He only stayed there a very short time, but as he was on the door-step, going away, he said to Mr. Lovibond and myself, or rather he said to Mr. Lovibond, in my presence, for he addressed him, "If you want me send for me."

6027. Are you sure that, in that interview, he promised to vote for these two gentlemen?—I can only say that I distinctly so understood him.

6028. Did you see them shake hands with him?—I saw Sir John Shelley and Mr. Kinglake both shake hands with him, and I am sure that either Mr. Lovibond or myself introduced him, and announced him as having promised to vote.

6029. Now did you see him again until after the election?—I did not see him again until after the election.

6030. Now, after the election, did you hear he had been active on the other side?—I heard that he had been very active on the other side.

6031. Do you remember, subsequently, having a conversation with him, in which you told him what you had heard?—Yes; it was in my own office. He was there upon some matter of business, and when that was concluded I said to him some such words as these: "Well, I understand, Mr. Heal, you have been very active;" and I rather think I said, "You have put your foot into it," I think that was the expression that I used, "and I should recommend you, when the matter comes before the Committee, to make a clean breast of it."

6032. What did he say to that?—He used some sort of expression, either that he would die in gaol, or that he would go to gaol, I am not sure which, before he would betray his employers. While this conversation was going on, just as I was speaking to him, Mr. Carslake happened to come in; his office opens with a door in connection with mine.

6033. Did Mr. Carslake hear what passed?—I have not the slightest doubt that he did.

6034. Is it true that, when you said to him that he had put his foot into it, he said, "I know nothing about it, and if I knew it I would not betray my trust"?—He did not say, or, at all events I did not hear him say, that he knew nothing about it.

6035. Did you hear him say that?—I certainly did not, and I do not believe he did say anything of the kind. I understood it, on the contrary, as an admission that he had done the things that were charged against him.

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Cross-examined by Mr. *Longfield.*

6036. You were employed for both the candidates at this election?—Yes.

6037. And were paid by both?—And paid by both.

6038. During the election you had long interviews with Mr. Benjamin Lovibond, I suppose?—I had several interviews with him.

6039. I see, in your account, that you charge for one entire day with Mr. Lovibond. Did you, on that occasion, consult him about the interest of the candidates for whom you were engaged?—Will you give me the date of that?

6040. The 7th July. "Engaged all the morning with Mr. Benjamin Lovibond. Journey to Exeter, 3 *l.* 3 *s.*;" do you remember that?—Yes, perfectly.

6041. Did that relate to the business of the election generally?—That related to the business of the election generally.

6042. Did you take an active part in the canvass during the election?—No, I did not.

6043. Did you canvass with the candidates any day?—No, I did not.

6044. Are you sure?—I am perfectly certain.

6045. Did you canvass by yourself all day, or did you, whenever the candidates canvassed, go with them?—I did not canvass with the candidates once; when I canvassed I did it by myself, and I can tell you every one that I did canvass to the best of my recollection and belief.

6046. Were you ever employed all day canvassing?—No, I do not know that I was employed the whole of the day; but one or two days I was employed almost the entire day. I may have written letters and other matters in the office.

6047. Now Heal called upon you about business?—No, he did not call upon me, I went to him at his counting-house

6048 How many times altogether did you see Heal before the election?—I saw Heal twice at least at his counting-house, and I am not sure that it was not three times

6049. Might you have seen him three times?—I will not say that I did not.

6050. On one of those occasions do you recollect Mr. Cook being present?—Yes, he was present on one occasion, if not on both.

6051. You stated Mr. Heal was very angry when you asked him for his vote?—Yes, he was very angry.

6052. And, on each occasion, did he not mention to you about the 40 *l.*?—On each occasion he mentioned about the 40 *l.*

6053. On the second occasion did you not go up and ask him to accompany you to Mr. Benjamin Lovibond's office?—That is just exactly what I have stated.

6054. Up to that time Mr. Heal had refused to vote for you?—Up to that time he had refused to vote for the Liberal candidates.

6055. And at each time expressed great dissatisfaction about the 40 *l.*?—Yes.

6056. Did you know, when you went to him the second time, that the candidates were at the office?—No, I did not.

6057. Had you seen Mr. Benjamin Lovibond before

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before you went to him the second time?—Not to the best of my recollection and belief.

6058. Did you go on that second occasion upon business, or to canvass him?—I went there to see him about the sale of a house; but I fully intended at the same time to speak to him about the election.

6059. Were you shown immediately into Mr. Lovibond's office?—I was shown into the office, I think, by Mr. Fletcher.

6060. While you were there was Mr. Heal shown in?—While I was there Heal was announced and shown in.

6061. Was there any conversation then about the dissatisfaction of Heal?—Yes; I have stated that he mentioned about the 40 *l.*, and I think he also mentioned about the license, but I am not certain.

6062. Did Mr. Lovibond say that that should be all straight?—He certainly did not say so.

6063. In your presence?—Certainly not in my presence, and I was present the whole time.

6064. What reasons did he allege for appeasing Mr. Heal's wrath?—He did not allege any reasons; he simply asked him whether or not he intended to assist his party, and I think he also said what I had said to him before, and that Mr. Kinglake and Sir John Shelley had nothing to do with the 40 *l.*

6065. Did that immediately appease Mr. Heal, and did he promise to vote then for the two?—No, the conversation occupied some little time.

6066. But it ended in Mr. Heal being completely satisfied and promising the two candidates?—I do not know whether he was completely satisfied, but he promised the two candidates.

6067. Who was present at that interview after the election?—Mr. Carslake, Mr. Heal, and myself.

6068. Was not Mr. Henry Cook present then?—He certainly was not; when that conversation occurred about his making a clean breast of it, when he said he would not betray his employers, there was no one present but Mr. Carslake, Mr. Heal, and myself.

6069. Is it possible that your memory may be mistaken as to that?—I am quite certain that that is the case.

6070. That Mr. Henry Cook was not present on that occasion?—He was not present on that occasion.

6071. Did he say that no one would induce him to betray his trust?—He said, as I stated just now, either that he would die in gaol, or that he would go to gaol, before he would betray his employers.

6072. Did he say anything about betraying his trust?—I do not recollect anything about his trust; the word I understood him to use was "employers."

6073. But might it have been betraying his trust?—I can only tell you what I remember, and that is what I remember.

6074. Did you canvass during the election in company with the candidates?—I did not do so on any one single occasion.

6075. Did you see the candidates canvassing at any time?—I saw them more than once in different parts of the town.

6076. Did they go together, or were they separate?—My impression is that I have seen them together; I recollect, on more than one occasion, seeing a party of six, seven, or eight gentlemen, and sometimes I saw Mr. Kinglake and sometimes Sir John Shelley; my impression is that I have seen them together.

6077. And seen them separate?—I think it is very likely indeed, but I do not remember.

6078. Could you tell me the names of some of the gentlemen who accompanied them?—Yes; there was Mr. Henry Lovibond, Mr. Paul Reed, and Mr. Bate.

6079. Was Mr. Bate with them often?—I really cannot remember.

6080. Who else?—Then I think there was a Mr. Wilton with them occasionally.

6081. Mr. John Smith?—I do not recollect Mr. John Smith at all.

6082. Mr. Bussell?—Nor Mr. Bussell.

6083. Did you see Mr. Benjamin Lovibond often canvassing with them?—I do not recollect seeing him canvass very much; he is lame, and I do not think he was very much with the other canvassers.

6084. Have you seen him occasionally with those gentlemen?—I think he was occasionally; I rather think I saw him riding about on horseback once or twice: but my own impression is that he did not take so much part in the house-to-house canvass as some of the younger men.

6085. By the *Committee.*] Did Mr. Lovibond, in your presence, say anything to Heal on any occasion to this effect, "Well, we'll make it all right"?—Certainly not.

6086. He never used words to that effect?—Certainly not.

Mr. John Hawkey Bingham Carslake, re-called; Examined by Mr. *Powell.*

Mr. *J. H. B. Carslake.*

6087. I want to ask you about a conversation at Mr. Barham's office; do you remember calling there and seeing Mr. Barham and Mr. Lovibond?—No; Mr. Barham and I are in partnership, and my office is adjoining his. On the occasion of which Mr. Barham has spoken I went into his office and found Mr. Heal alone engaged with him talking over some matter of business; I think in reference to the purchase or sale of a house which Mr. Barham was managing for him. Mr. Barham then said to him, "Well, Mr. Heal, I understand you have been pretty busy during the election; you will have to make a clean breast of it, you know; you have put your foot into it," or some such expression as that; to which Heal said, "I will never betray my employers; I had rather go to prison, or rot in prison, or die in prison," or some such ejaculation as that; that was the effect.

6088. That is what he said?—That is what he said in my presence; I was there, and Mr. Barham, and Mr. Heal, and we were the only persons present. It was in Mr. Barham's office after the election, and I recollect saying, "You will have to go to gaol then, for you will be bound to tell;" and he said, "I would rather rot in gaol before I would betray my employers."

Cross-examined by Mr. *Longfield.*

6089. Do you know Mr. Cook, Mr. Heald's partner?—Perfectly well; and on the occasion to

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to which I allude, Mr. Cook was not present in the office, or in the outer office; there was no person in the office but Mr. Heal, Mr. Barham, and myself.

6090. Mr. Cook was not present?—He was not present; he had been in the office at other times with Mr. Heal previously to this, and subsequently I had seen him.

6091. Do you remember a conversation to the same effect taking place when Mr. Cook was present?—Certainly not, because it impressed me; it is very strong on my memory from Mr. Heal's statements, and of course I formed my own conclusion about it.

6092. Was the entire conversation jocular?—I can hardly say it was jocular, because Mr. Heal was anything but jocular in what he said, but was very impressive indeed that nothing should induce him to betray his employers.

6093. Were you, yourself, or Mr. Barham, jocular?—I cannot say that we were jocular; it was said in this way: "Well, Mr. Heal, you have put your foot into it, and you will have to make a clean breast of it, you know."

6094. This was your own client?—Yes.

The *Chairman* inquired whether it had been stated that Mr. Cook was present.

Mr. *Powell* referred to Mr. Cook's evidence, in which it was stated that he was present.

6095. By the *Committee.*] In which room did the conversation referred to by Mr. Cook take place?—I do not recollect that particular conversation, but I would desire to add, that Mr. Heal and Mr. Cook were on several occasions, after the election, and before the election, in our office, jointly on business, but on the occasion to which I particularly allude, Mr. Cook was not present.

6096. What do you mean, when you say you do not recollect that particular conversation?—I mean the one of which I have spoken; I recollect that distinctly.

6097. About making "a clean breast of it"?—Oh yes, I heard it, and there was no person present but Mr. Barham, Mr. Heal, and myself; I undertake to swear that most distinctly. I wish to add also, that there were occasions on which Mr. Heal and Mr. Cook did come jointly, and it is quite possible that some conversation may have taken place respecting the election, in their joint presence, but on that particular one to which I have alluded, Heal alone was present.

6098. Is it possible that some conversation to the same effect took place when Mr. Cook was also present?—I have no recollection of it; it is possible, but I do not think it is at all likely, for this reason, that the only time I recollect a conversation taking place about making a clean breast of it, was that one occasion to which I have alluded; when I went into Mr. Barham's office, and saw him talking to Mr. Heal upon some other matter of business, and then that particular conversation took place, and I undertake to swear most distinctly, that there was no other person present.

6099. Mr. *Longfield.*] But you do not undertake to say, that no such conversation took place on any other occasion, and you admit that Mr. Heal and Mr. Cook called frequently?—I stated distinctly they have called frequently, but I have no recollection of any conversation taking place on those occasions respecting the election.

6100. Could it have occurred in a jocular and friendly manner after?—If it did, it was another conversation in addition to the one which I have spoken of.

6101. Might not that have occurred, and the similarity of the conversation confounded itself in your mind with another?—I have no belief or recollection about that.

6102. You admit that Mr. Cook and Mr. Heal, after the election, called frequently at your office, and that conversation might have occurred after the business was done?—I have no recollection about a conversation; they were clients, and came to see Mr. Barham on business, and it is within the range of possibility, that they may have spoken about the election, and I might have been present, but I know my attention was particularly turned to that conversation from its peculiarity.

6103. By the *Committee.*] Was that phrase, "clean breast," repeated at more than one conversation?—I do not recollect it; my belief is, that it was not, and if I had to swear according to my belief, I should swear that it did not take place at any other time than that particular occasion.

6104. Mr. *Powell.*] Whatever took place at any other time, have you a clear recollection of the conversation to which you have been deposing?—Perfectly clear; it impressed itself very strongly on me, because I formed my own impression from what he said.

6105. Are you able to swear positively, that Mr. Cook was not present at that conversation?—I can distinctly swear, that at that particular conversation he was not present, and that we three were the only persons present in Mr. Barham's office.

6106. Did you say to Mr. Heal, "What a plucky old fellow," or words to that effect?—I do not recollect such an expression as that, and I do not see what should bring it up at all; I remember his manner particularly, and I was very much impressed with it as to what he said on that occasion, but of course I came to a conclusion which I must not give the Committee, as to what the meaning of it all was.

Mr. EUSTACE BARHAM, recalled; and Examined by Mr. *Powell.*

Mr. *E. Barham.*

6107. I FORGET whether I asked you if Mr. Cook was present at either of those conversations?—Yes; I was asked that, and I distinctly stated that there was no person on the occasion to which I referred; but Mr. Carslake is quite correct in saying that Mr. Heal and Mr. Cook did both of them, just about that time, come to our office more than once; they both came on a particular occasion to sign a deed.

Mrs. JANE BADGER, sworn; Examined by Mr. *Bristow.*

Mrs. *J. Badger.*

6108. I THINK you are a widow, living at Bridgwater?—I am.

6109. You have a son, I think, who lives at Bridgwater, and who is an elector?—Yes.

6110. Do you know Mr. Charles Hayward, the hairdresser?—Yes, very well.

6111. And have done so for many years?—Yes, for many years.

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6112. Do you remember going to his house the Saturday morning before the election?—Yes.

6113. About what time in the morning?—Well, I left home just before 10, and I got into the market, and did my marketing, and came back; so it must have been about 11 o'clock.

6114. Did you go into the shop?—Yes.

6115. To make a call?—Yes.

6116. Which you often did?—Very often.

6117. How long did you stay there?—Well, I was not there very long.

6118. About how long?—I suppose it must have been about three-quarters of an hour; that was the most.

6119. Were you sitting down outside the counter?—Yes; and he called me on one side.

6120. When he called you on one side, what did he say to you?

Mr. *Sleigh* objected to this question, on the ground that it went to a collateral issue.

Without calling on Mr. *Powell*, the Committee decided that the evidence should be admitted.

6121. Mr. *Bristow.*] Now, what was it he said to you?—He asked me who Charles was going to vote for, and I said "Mr. Kinglake and Sir John Shelley." He said, "Don't you think he would vote for Westropp?" I said, "I don't believe he will." He said, "Can't you use your influence, and get him to vote for Westropp? he could vote for Westropp and Mr. Kinglake." I said, "I will tell him when I go home." He said "Do so; and if you can persuade him to vote for Westropp, I can get you 10 *l.*, or it may be more; I can't exactly tell what will be given." Then he said, "You will let him know what I say?" and I said, "I will;" and I left his shop, and went in to Mr. Smith's, at York House, to order my groceries, and came out. Between the Post-office and Mr. Smith's, I met Mr. Henry Jarman.

6122. Stop a minute. At that conversation which you have spoken of, was anything said about not telling Charley?—I am not come to that yet.

6123. Then probably you will go on?—I met Mr. Henry Jarman, and he said to me, "You are looking rather smiling this morning;" and I said, "Yes, I think I have enough to make me smile this morning, as I have been offered 10 *l.* if I would influence Charles to vote for Mr. Westropp." I did not tell Mr. Jarman who it was that offered it to me; but he said, "Who was it?" I said, "Well, I will not say now;" and he said, "You will tell Charles who it was?" and I said, "Yes, I shall tell him." Then I left Mr. Jarman and went home; but before I went into the house, I saw my son.

Mr. *Sleigh* objected to the reception of this evidence, on the ground that it was given in the absence of the person whose testimony was sought to be impeached, namely, Mr. Hayward.

The *Chairman* stated that the Committee, having had the evidence of Mr. Hayward, wished to have some testimony with regard to his veracity.

6124. Mr. *Bristow.*] Then go on, Mrs. Badger, if you please?—I saw my son, and beckoned him, and he came up to me. I said, "Charles, will you vote for Westropp?" And he said, "What makes you ask me that?" I said, "I have been offered 10 *l.* if you will vote for him." Then he said, "Who was it that offered it to you?" and I said, "Mr. Hayward." He then went away, and I went into my house, and it was then 12 o'clock; so it was all done in that short time in the morning.

6125. Did you go to Mr. Hayward's shop after that?—Not that day. On the Monday following I called in, and he said, "Well, what did he say?" I said, "He will not vote for Westropp." Then he said, "I think he is very foolish, because you might have had the 10 *l.*, and bought a nice dress with it, and could have given Charles a handsome present, and he would not have known where you had the money from."

6126. Was that all that passed then?—That was all that passed.

6127. You saw Mr. Hayward several times after, I dare say?—I did not go into the house during the election, because I was very much annoyed at his offering it to me.

6128. And the matter was not mentioned again?—No, it was not before I was served with a Speaker's warrant.

6129. Did you on that occasion have to wait two or three hours at his shop?—Oh, dear no.

6130. Before speaking to him, I mean?—Oh no, because he saw me.

6131. Did you send one of his children for beer?—No.

6132. And you did not drink it then?—No; I did not.

6133. Were you served by Mr. Fletcher with a Speaker's warrant?—Yes, I was.

6134. By the *Committee.*] Had you any brandy and water at Mr. Hayward's?—What! in the morning! Oh no, sir.

6135. Mr. *Bristow.*] He did not send for any brandy and water to administer a dose to you?—No, there was no need for it.

6136. You were served, you say, with a Speaker's warrant by Mr. Fletcher?—I was.

6137. Did he tell you that it was to attend here and give evidence?—Yes. I said, "I did not like to go against Mr. Hayward, from knowing him so well;" and he said, "You must go against him." Then I said, "I will tell him I am going against him, because we are such friends."

6138. Did you do so?—I did.

6139. And you went to Mr. Hayward?—Yes.

6140. How soon after you were served?—Not the next day, because it was very wet; but I went the day after, in the morning, about 9 o'clock, and I saw Mr. Hayward, and said, "Mr. Hayward, you remember what passed between us on the Saturday, as I called in before the election;" and he said, "Yes;" and I said, "You know you said you would give me 10 *l.* or it may be more, if I could get Charles to vote for Mr. Westropp." He said, "I did not mention the sum; I told you I did not know how much it would be." I said, "Yes, you mentioned the sum, and said it may be more." He said, "Mrs. Badger, if you go against me, I shall be imprisoned for two years." I said, "No, you won't, Mr. Hayward, if you speak the truth, you will be exempt from any punishment, for I inquired of Mr. Fletcher about it, and I said, 'Mr. Fletcher, I don't wish to injure Mr. Hayward;' and he said, 'I should not do so, because if Mr. Hayward spoke the truth, he would be exempt from any punishment.'" He felt it very much, and so did I. I felt it as bad as he did, and I told him so. Then I said, "I don't think you will have any

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any punishment, but I think you had better inquire of your attorneys." He said, "I will do so;" and he went and inquired, and told me it was the same as he said before, and there it ended. I have never mentioned it since to him, nor he to me.

6141. Was anything said by you about his not being an agent?—Yes, I forgot that. He said, "I am no agent." I said, "No;" he said, "Nor you did not see any money;" and I said, "No, I did not see any money, and I know you are not an agent, or I don't expect you are;" something similar to that.

6142. On that day did he go home with you at all?—No, that was in the morning, about 9 o'clock. I was going on business, and I called there as I passed.

Cross-examined by Mr. *Sleigh.*

6143. Can you tell me what day of the week it was that you paid this visit to Mr. Hayward?—What visit?

6144. The visit you have been giving us this long account of?—The Saturday was the first day, and the Monday was the second day.

6145. Was it on the Saturday that that conversation took place with respect to the 10*l.*?—Yes.

6146. Where was it that this conversation took place?—In the shop.

6147. How long did the interview continue?—About three quarters of an hour it must have been, because I was home before 12; it was not more than that.

6148. Pray tell me what was the object of your visit. Did you want anything in the perfumery line, or the hairdressing line?—Oh, I very often go in there and have a chat, because we are friendly.

6149. And in election times you talked about politics, I suppose?—No, it was never mentioned before then; that was the first time it was ever mentioned.

6150. Who happened to be present during any part of this conversation of three-quarters of an hour's duration in the shop?—No one to hear what he said to me, because he took me to the end of the shop, towards the window, and then he asked me, away from any one else.

6151. Now I am not asking you what people may have heard, or what they may not have heard, but I want to know whether during this three-quarters of an hour, there was any one in the shop besides you and Mr. Hayward?—I was talking to him before he began about the election; the talk about the election did not last three-quarters of an hour, for I asked him how he was, and whether he had heard from Mrs. Hayward, for she was not at home. I can't exactly tell what we were talking about, but after I had finished asking him a few questions about family matters, he asked me who Charles was going to vote for.

6152. Now during that interview of three-quarters of an hour, was there any person in the shop or not?—No, there was not one in the shop where we were; but I suppose his daughter was not very far off, or one of his children, I do not know who was there, for I forget.

6153. Was not his daughter in and out, up and down stairs, during the interview?—No, I don't think so.

6154. Was she in the shop?—No. There is a fire-place a little way from the shop, at least it is in the shop, and she might be there, because I saw her or else one of the children, and spoke to her, but I don't know whether it was the eldest or the next.

6155. At all events she was in the shop during part of the conversation?—She may have been, but I did not see her while I was talking.

6156. Am I to understand you to pledge yourself that she was not in the shop several times when you were there?—She did not come where we were speaking at all.

6157. She was in the shop?—She was round there, but she was out of sight if she was there.

6158. Was she not in sight at all?—No.

6159. During this three-quarters of an hour was not Mr. Hayward's daughter frequently in the shop, whether she could hear or not?—No.

6160. Will you swear that?—Yes.

6161. She was not in the shop during the whole of the time?—Not in my presence.

6162. Will you undertake to tell the Committee that the daughter was not in the shop several times during the period of your conversation with Mr. Hayward; and pray take care of what you say about that?—Believe me, sir, I will tell you the truth.

6163. You need not tell me that, you will tell me the truth unless you tell it us so often. Was she in the shop continually during this three-quarters of an hour?—If she was I did not see her.

6164. Will you swear she was not?—No.

6165. Were there any customers coming in and out?—No, there was not.

6166. No one at all?—No.

6167. During the whole three-quarters of an hour?—Not that I am aware of.

6168. Was Mr. Hayward in the shop when you went in?—Yes, he was.

6169. Then you had not to wait for him at all?—No, I did not want to wait for him.

6170. Do you mean that he was in the shop when you came?—Yes.

6171. Am I to understand you to adhere to what you told my friend, that you did not have any beer while you were in the shop then?—No, I did not.

6172. None at all?—No.

6173. Will you undertake to say that you had no beer while you were in the shop?—I do.

6174. That morning?—That morning.

6175. This was in the morning?—Yes.

6176. Now will you tell me this. You say you had nothing to drink while you were in the shop that morning; had you anything to drink before you went into the shop?—Nothing at all.

6177. You did not at all indulge in anything of the kind?—I take my luncheon when I go home; a glass of ale, if I require it.

6178. You told my friend Mr. Bristowe that you had not any brandy and water while you were with Mr. Hayward?—No more I had.

6179. Now I ask you again, and I caution you about the answer that you give to this; do you persist in saying that you had no brandy and water while you were with Mr. Hayward?—I do.

6180. Upon either of the occasions?—Upon neither of the occasions.

6181. Did he go home with you?—No.

6182. Surely you would not be shocked at the idea of a married man accompanying you home?

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home?—But there was no need of his going home with me.

6183. Do you mean to tell us that he did not accompany you home?—He did not.

6184. Upon neither occasion?—No.

6185. Neither Saturday nor Monday?—No.

6186. And he did not treat you to some brandy and water?—No, he did not.

6187. That you swear?—I will swear he did not.

6188. On the Saturday you had one conversation with him, and upon the Monday you had the other?—Yes.

6189. Do you mean that upon neither of those occasions, when in company with Mr. Hayward, whether in his house or elsewhere, you did not partake of brandy and water?—I do solemnly declare it.

6190. Now about this 10 *l.* It is not, of course, true that you suggested to him that if he were to vote upon the Liberal side he would get 10 *l.*—No, I did not.

6191. You never made any such suggestion as that?—No.

6192. When was it that you first made any communication as to this conversation which you had with Mr. Hayward; when did you first tell anybody about it?—As I was going home I met Mr. Henry Jarman.

6193. You have told us about Mr. Jarman; is Mr. Jarman here in London?—Yes.

6194. You have seen him here to-day, have you?—I saw him out there (*pointing to the lobby*).

6195. Was Mr. Jarman the first person to whom you made any communication?—He was.

6196. Pray, when was that?—On the Saturday morning.

6197. That is, the Saturday before the polling day?—Yes.

6198. Between that time and now that you are here, to whom else did you communicate anything about it, if to anybody?—To my son.

6199. Your son Charles, whom we have heard of?—Yes.

6200. When was that?—That was the Saturday, as I went home and saw him.

6201. Is he here to-day?—Yes.

6202. Was the conversation with your son Charles upon the Monday, or when was it?—No, on the Saturday.

6203. Was it upon the same Saturday you went there that you communicated it to him?—It was on the Monday morning that I told Mr. Hayward.

6204. When did you make any communication to your son Charles?—As soon as I got home, before I got into the house.

6205. Was any person present when you made the communication to Mr. Jarman?—No.

6206. Was there any person present when you made the communication to Charles?—No.

6207. Now tell me anybody else besides Jarman and Charles to whom you made any communication of this conversation?—I do not believe there was any one; not before the election, at all events.

6208. Where was it that you made the communication to Mr. Jarman?—As I was going home.

6209. Do you mean out in the streets?—Yes; I met him coming from the Post, I think.

6210. What is Mr. Jarman?—A retired tradesman.

6211. Is he one of the Liberal party too?—I suppose he is.

6212. Your son is another of the Liberal party?—Yes, he is.

6213. No human being was present, then, when you had the conversation with Mr. Jarman or Charles?—No.

6214. I understand you to say that it was upon the Saturday that you met Mr. Jarman?—Yes.

6215. Pray, for whom does your son work?—Brown & Company.

6216. Brown, Wilton & Company?—Yes.

6217. Now, I am rather curious about this; do you adhere to what you told me, that between the time that you mentioned it to Mr. Jarman until after the election, you never mentioned it to any person else?—I do not know that I mentioned it to any one, but it got abroad, of course. Charley did not keep it any secret.

6218. I am asking whether you mentioned it to any other person; and if so, tell me any human being to whom you made this statement, and what you say occurred between you and Mr. Hayward, with the exception of Charles and Mr. Jarman?—I do not believe I did. I may have said in the course of talking to any one, that I was offered 10 *l.*

6192. What I want to know is, the name of any human being to whom you stated that?—I cannot recollect.

6220. Have you not had your evidence taken down in writing?—It is taken down.

6221. When was that done?—I do not know when; I do not recollect.

6222. You can remember whether it was done here in London, or whether it was done in Bridgwater?—Part of it was done here; what I said to Mr. Hayward when I went up and told him I had the Speaker's warrant, I have told since I was here, that is all.

6223. Before you came to London was anything that you have told us to-day put in writing in your presence?—Yes.

6224. When?—I do not know when.

6225. Where?—I do not know.

6226. At Bridgwater, I suppose?—Yes.

6227. By whom?—Mr. Fletcher.

6228. When was that?—I really cannot recollect.

6229. You can remember whether it was yesterday or the day before?—It was not lately.

6230. When was it?—Just after the election, I suppose.

6231. Who was present when Mr. Fletcher took this down in writing from you just after the election?—No one.

6232. Where was it done; was it at your house, or at Mr. Fletcher's?—I told Mr. Fletcher at my house.

6233. Then Mr. Fletcher came to you, did he, and took it down at your own house?—No, he did not.

6234. Or did he take it down in writing in your presence anywhere?—No, he did not; I read it afterwards, after it was taken down.

6235. Now, did Mr. Fletcher bring it to you ready taken, to your house?—No.

6236. Where did you see it, to read it?—Here in London.

6237. When, to-day?—No.

6238. Yesterday?—No.

6239. The day before?—No.

6240. When

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6240. When then?—I think it was last Thursday.

6241. Then last Thursday you were given a written paper to see if that was correct as to what you would be able to tell the Committee?—To see if it was right.

6242. You read it upon Thursday last, you say?—Yes.

6243. At what hour did you go home upon the day that you had this conversation, as you say, with Mr. Hayward?—The first day.

6244. Yes?—It was in the morning.

6245. What time?—I saw him before 12.

6246. Now on the Monday?—I called as I went to the town, and it was about 9 o'clock in the morning.

6247. By the *Committee.*] That is the second time?—The second time.

6248. Mr. *Sleigh.*] What time did you get home the second time on the Monday?—I had business to do.

6249. What time did you get home?—I do not know, I am sure. It takes me about two hours to do what I have to do on the Monday morning, because I have to gather the rents.

6250. About what time did you reach your home on the Monday after having had this second conversation with Mr. Hayward?—About 11 o'clock.

6251. By the *Committee.*] Did you say to Mr. Hayward that you wished your son would vote for Mr. Westropp?—No, I did not.

Re-examined by Mr. *Powell.*

6252. I think you said that Mr. Jarman was the first person that you mentioned this to?—Yes, he was.

6253. About Mr. Fletcher; you say you saw Mr. Fletcher at your house, and told him what had occurred?—Yes.

6254. Was that when he came to serve you with a Speaker's warrant?—Yes.

Mr. *Powell* proposed now to call Mr. Jarman to corroborate the present Witness.

Mr. *Sleigh* objected, on the ground that it was a mere collateral issue.

Mr. *Powell* stated, that as Mr. Sleigh objected, he would not call the Witness.

Sir JOHN VILLIERS SHELLEY, sworn; Examined by Mr. *Powell.*

Sir *J. V. Shelley.*

6255. I BELIEVE that all of us know that you represented Westminster in Parliament, for a considerable period?—For 13 years.

6256. And that you retired from the representation of Westminster at the close of the last Parliament?—Yes, to prevent a split in the Liberal party.

6257. After you had done that, or about that time, did you have some communication respecting the borough of Bridgwater?—I had.

6258. Before you took any action whatever with reference to the borough, did you require a personal communication with the party on the subject?—The first communication I had with the borough of Bridgwater, was an interview with Mr. Benjamin Lovibond, who came to me and represented to me that the Liberal party were united in Bridgwater.

Mr. *Longfield* objected to this evidence.

The *Chairman* stated that the Committee thought that it was not necessary to go into the history of Sir John Shelley's standing in Bridgwater.

The *Witness.*] Perhaps the Committee will allow me to say, that after my address was published here, that there were rumours that bribery had formerly taken place at Bridgwater, and might do so again. After my address had been published, I refused to go down to Bridgwater, although telegraphed for, until I had a second interview with Mr. Benjamin Lovibond in London, and at that interview I pointed out to him that I had always taken a very strong view in the House.

Mr. *Longfield* objected to this evidence as being irregular.

The *Chairman* stated that the Committee only meant to stop Sir John Shelley with regard to his standing, but that they did not mean to apply that observation to this evidence.

The *Witness.*] I wish to point out, and I think, in fairness and justice to myself, looking at the difficulty which the candidates have to go through in a canvass, I hope the Committee will allow me in a few words to explain what occurred in reference to that matter. Having always taken, in Parliament, a very active line against bribery and corruption, I insisted upon seeing Mr. Lovibond before I would go down, and I exacted from Mr. Lovibond, who was my agent, that, upon his word and honour, as a man and a gentleman, nothing had occurred, and nothing should occur, that could in any way implicate me with improper practices.

6259. Mr. *Powell.*] Did you receive that assurance?—I did.

6260. Did you then go down to Bridgwater to canvass the borough?—I did; and I had that assurance more than once while I was down there.

6261. Now, I ask you this general question. Are you aware that any bribery, either directly or indirectly, being carried on on your account, at Bridgwater?—Most decidedly not.

6262. Have you paid any money whatsoever, or engaged to pay any money whatsoever, in respect of any such bribery?—The whole of my expenses at Bridgwater, including post horses to Taunton and elsewhere, the whole amount that I have paid, and shall pay, or can be called upon to pay, in any shape or description, in relation to Bridgwater, amounts to less than 200 *l.*

6263. Now, how long were you at Bridgwater?—Well, I was there, I suppose, about a fort night. I went down the 29th of June; began canvassing on the 30th. The nomination took place on the 11th of July, and the polling on the 12th, and I think I returned, within two days of that, to London.

6264. Now, during the time that you were there, what reception did you meet with?—Well, I received a very warm reception during the whole of my canvass.

6265. I mean, up to the poll?—Yes; and I will say, also, from Tories as well as from Liberals. I was very well received by them all, and was always well used by both parties.

6266. Now,

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6266. Now, with reference to Mr. Lovibond, do you remember being at Mr. Lovibond's office with Mr. Kinglake upon one occasion?—Yes.

6267. Upon a particular occasion, when you saw Mr. Heal?—Yes, perfectly well.

6268. Did he, upon that occasion, promise you his vote?—Yes, he did most distinctly.

6269. Did you, at the time, enter him in your canvass-book, as having so promised you?—I did, and I wish to explain that in putting in this book, I kept a canvass-book of my own; that I kept it independent of my agent's in order that I should be able myself to see what was going on, and that I should not be misled by anyone as to the state of things with regard to my prospects. And I am prepared to say distinctly that, as regards the names in this book, wherever it appears that I have marked for Mr. Kinglake and myself a promise, that promise was made to myself. I did not put any promise down in this except it was made to me, and this book has never been out of my possession for five months. It was locked up after the election, and I produce it now. I have not done to it what Mr. Westropp said he had done to his, namely, added to it since the election. But it is exactly in the same state it was on the day of the poll.

6270. Now, that being so, be so good as to turn to the name of William Heal, and tell me whether the note you made at the time corroborates the statement you have made as to his promise?—Yes; there are two marks distinctly pointing out that Mr. Heal promised both Mr. Kinglake and myself.

6271. And were those made at the time of the promise?—Every mark that appears in these two columns, under the head of Kinglake and Shelley, was made at the time a man made me the promise, whatever it may be.

6272. Have you the slightest doubt that he distinctly promised to vote for both of you?—I remember his being introduced into the room as well as if it had been only yesterday, and I remember him shaking us both by the hand and turning away from us, and then coming back and saying this, "I hope you will not mention the fact of my having promised you, because I have been, you see, in the enemies' camp." And I recollect the circumstance of the man, because when we had canvassed him previously he refused to promise, and he told some story about his having been refused a license by, as he said, the Liberal magistrates, and I remember saying to him, "I came here to canvass you for your vote, and you must perfectly well know that never having been at Bridgwater before, I know nothing about the Liberal magistrates, or any question of your license." That directed my attention that a man of his respectability and position should have hung back from giving me a promise upon such a trumpery question as that of a license for a beer-shop.

6273. You had canvassed him previously, and he had declined?—I had, and he said he had been very ill-used by the Liberal party, and the Liberal magistrates had refused to grant him a license, whether a spirit license or not I do not know, for some house.

6274. Have you seen during this examination a person in the box whose name was given as James Aldridge?—Yes.

6275. Do you remember to have ever seen that man before?—No, I am not aware that I ever did.

6276. Do you know Mr. Paul Reed?—Quite well; he canvassed throughout.

6277. Just be so good as to look at your book, and see if you have any mark respecting Aldridge?—"462, James Aldridge;" no mark whatever, excepting under the head of observations, "out;" and then something which I cannot make out.

6278. Sometimes we can read other persons' writing better than our own; will you let me see it (*the canvass book was handed to Mr. Powell*); it is "shaky"?—Yes. I may observe that under the head of observations I always put down anything that struck me at the moment; and, therefore, it is very likely that I put down what seems in this case perfectly right.

6279. Just look at your book again, and now that that has been translated to you, be so good as to say if you can remember whether you called more than once?—I really cannot say; but with reference to this Berkeley-street, I believe it is principally inhabited by the workmen who are employed at the carriage works of the railway, and seeing that the leaders of that establishment, as the gentlemen on the other side know perfectly well, took a very strong line against us, I did not take much trouble in looking after them; I thought it would be lost time.

6280. Do you remember at the time I am now speaking of, whether you ever saw this man personally or not?—I do not remember that I ever did. You observe that he said he did not know whether it was between 12 and one, or six and seven.

6281. Do you remember being in Berkeley-street with Mr. Paul Reed?—Mr. Reed, I think, except on one occasion, was always with me when I was canvassing.

6282. Do you remember whether he was with you on the occasion you canvassed Berkeley-street?—I do not remember that particular occasion.

6283. Did this Mr. Aldridge, or any other person, when Mr. Reed introduced you to him and asked for his support, say, there was a consideration about that?—Well, I have no recollection of it; but I am bound to say that I was early in my canvass disgusted at the way in which people held back; and one man I remember during the canvass saying he should ultimately vote for Mr. Most, which I could not understand, until it was explained to me that it meant the man who would give him most.

6284. Do you remember Mr. Reed having said to this person in your presence, whoever he might be, "You will vote for Sir John Shelley, won't you;" and the man replying, "No, there is a consideration"?—No, I do not remember it; but I should say, generally, that when any such observation was made, I always invariably said, "I am here canvassing you on public grounds, and I will not listen to anything of the sort."

6285. By the *Committee.*] You have already stated that such observations were made, and you were disgusted with them?—Yes; and as to Mr. Reed consenting to that, he knew perfectly well that I would not do so.

6286. Mr. *Powell.*] Did you ever, in consequence of any such observation, advance to the door, so as to get out of hearing?—I am quite sure that whenever these observations were made, I always said, "I will not hear one word about anything of the sort."

6287. Did you ever go to the door, in order that

that such a conversation might be carried on between Mr. Reed and this person without your presence?—Most distinctly not.

6288. Did Mr. Reed ever say to anybody in your presence or hearing, "Here, I have got two or three railway appointments, at 70 *l.* a-year, and I will get your son into one of them, or I will give him a berth in my office," or any words to that effect?—I say most distinctly that Mr. Reed never did, and would not have dared to say such a thing, after the instructions I had given him.

6289. Do you remember Mr. Reed saying to anybody, "Where does your son work?" and his replying, "At Mr. Raddock's, the solicitor's"?—I do not remember it.

6290. Do you remember Mr. Reed saying, "Is there any obstacle there"?—No, I do not.

6291. Did you hear Mr. Reed say to anybody, "Because, if there is, I will give you a berth in my office; and I treat all my clerks as myself until they get married"?—Most certainly not.

6292. Now, could any such language, or anything like it, have been uttered in your presence, during your canvass, and you have forgotten it?—Certainly not.

6293. Did Mr. Paul Reed, in your presence or hearing, say to a man, named Tremblett, "If the franchise won't do, and if vote by ballot won't do, what do you say to a little sugar"?—No, I never heard it before.

6294. Is it true that Paul Reed ever said it in your presence or hearing?—No, certainly not.

Cross-examined by Mr. *Longfield*.

6295. Did you canvass much with Mr. Benjamin Lovibond during the election?—The answer to that is, No.

6296. Did you canvass at all with him?—Well, if I were to say, No, to that, it would be incorrect; but I canvassed very little with him; Mr. Benjamin Lovibond is very lame, and is not able therefore to canvass.

6297. But you have done upon some days?—Very rarely; not whole days, and not whole hours, I was going to say, but parts of days.

6298. Parts of several days you have canvassed with him?—Yes.

6299. Do you happen to recollect whether, on those days, the canvass was in connection with Mr. Kinglake, or by yourself?—I cannot say, because there is nothing on my mind as to the days on which Mr. Benjamin Lovibond has been with us, but I know it was a very rare occurrence.

6300. Can you tell the Committee whether you and some of your friends were canvassing separately?—I have no doubt there were times; but, as a rule, we went together, and the persons who generally accompanied us were Mr. Henry Lovibond and Mr. Paul Reed.

6301. You have no doubt that, on many occasions, you canvassed separately with your friends?—No, not on many occasions; very seldom.

6302. But you have done it on more than one occasion?—I am not aware of that; certainly not for anything more than an hour at a time.

6303. But on several days you might have each canvassed jointly for some time, and then canvassed separately for some time?—No, I should say certainly not.

6304. Have you ever canvassed separately?—No, I think not.

6305. Do you remember one occasion on which you canvassed separately?—No, I do not at this moment.

6306. And if it occurred it was only about an hour at a time; all the rest of the canvass was joint?—It is really difficult to answer that question.

6307. Do you say you cannot answer it?—I have no doubt that Mr. Kinglake and Mr. Henry Lovibond did go by themselves occasionally.

6308. Was it substantially a joint canvass, but occasionally a separate canvass?—It was occasionally a separate canvass.

6309. Now can you tell me the names of some of those persons who accompanied you from time to time?—Well, I suppose everybody who knows what a canvass is knows that persons join you in the street while you are on your canvass, but the persons who canvassed with me regularly were Mr. Paul Reed and Mr. Henry Lovibond.

6310. They were your habitual attendants?—Most invariably.

6311. But occasionally gentlemen used to join you to canvass with you for a street, or half a street, or for an hour, or half an hour?—That is to say, they were with us, but I often wished them away.

6312. You did not express that wish to them, I suppose?—I think I asked them to let us go on quietly, and not interfere with me or my book.

6313. Do you remember Mr. Henry Chapman Bussell joining you?—I really do not.

6314. You know the gentleman?—I think I do; but I had so many fresh faces to make acquaintance with.

6315. Do you know Mr. John Smith?—Not by name.

6316. Do you know Mr. Wilton by sight or by name?—I suppose I know him, and I have no doubt that I do, but if he was here I do not think I could put a name to him.

6317. Do you know the other committee rooms?—I know of no committee rooms but one in which I ever was myself.

6318. What one was that?—Well, I believe it had been a butcher's shop.

6319. In Fore-street?—It was in the High-street, and I have a reason for remembering it, because it was the only place I went into, and I was saying a few words to my friends there, and the people came up and begged that nobody would stamp with their feet, for the floor was very bad, and we were likely to fall through.

6320. Was there any committee room at the "Commercial Hotel"?—This was the only room I know of as a committee room; that was merely, as far as I saw, the committee room; it was for our friends to meet in; the business of the election must be carried on, and I have no doubt that there were other committee rooms.

6321. And one of them was at the "Commercial Hotel"?—I do not know, I was not in it.

6322. Were you never at the "Commercial Hotel"?—Yes, I was at the "Commercial Hotel," but not in the committee-room.

6323. On the occasion of your visiting the committee-room in Fore-street, do you happen to recollect who were with you?—I am sure I cannot tell you; but the room was full, and I went there to tell them how I thought I had got on with my canvass; but I do not know when it was; I am sure it was one evening before I addressed them in public on the hustings.

6324. It has happened to you during your canvass that some of the persons whom you canvassed

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vassed in fact insinuated that they should have a consideration for their vote?—Well, I have said so.

6325. And your habit was invariably to turn away?—My habit was to repudiate it altogether, and say I would have nothing of the sort; that I had come down as an old member of Parliament upon certain principles, and upon those I would either stand or fall, and if they would not vote for me they might let it alone.

6326. That was often done, was it?—Often done in the town of Bridgwater.

6327. Often during your canvass?—I will say this, that during my canvass at first, I had the greatest difficulty in getting anybody to say "yes" or "no," whether they would vote for me or Westropp; but I always told them that I called upon them as an old politician, and if they were Liberals they would vote for me, and if they were Tories they would vote for the other man.

6328. It has happened, has it not, that upon some of these occasions these men said they required consideration, and you turned indignantly away?—I do not remember the word consideration; I remember a man saying, "I shall vote for Mr. Most;" and I turned round and said to Mr. Cook, who was with me, "What does he mean." Mr. Cook burst out laughing, and said, "Why the man who will give him most;" and Mr. Reed came up, and I said to him, "I will not have anything of the kind, and if 5*l.* given improperly will win me the election I will not give it."

6329. Circumstances of that kind occurred during the election, and you turned indignantly away?—At first I thought I had got into a very bad place, and I was coming away; but after a bit, they either told me they would vote for Kinglake and myself, or for Mr. Westropp.

6330. How long were you in Lovibond's office before Heal came there?—I do not think I had been there long.

6331. Used you and Mr. Kinglake frequently to meet at Mr. Benjamin Lovibond's office?—Yes, we have been there together.

6332. Frequently?—Yes.

6333. In conference upon the election?—Yes, certainly.

6334. Now, did not Heal refuse to vote for you at the time you called at his office?—Well, he did not positively refuse, but he did not promise.

6335. Was he not angry, and did he not enter into a history of his grievances?—I said to him, "I understood you were a Liberal. Why will you not say yes or no; a man in your position." He then went into a long history about a spirit license having been refused him by the Liberal magistrates.

6336. Did he say anything about 40*l.*?—I never heard it until I heard it in this room.

6337. Do you remember the day he called with Mr. Barham at Mr. Lovibond's office?—Yes.

6338. Do you not know that they had some conversation first, before you saw them?—No, I had no means of knowing it; I was in the other room.

6339. Do you recollect Heal saying, "If Mr. Lovibond wants me he knows where to send for me"?—No; on the contrary, I remember perfectly well his turning round as he was going out of the door, and his saying, "Oh, I hope you will not mention the promise I have made, because I have been in the other camp."

6340. Did he tell you more than that?—Nothing more.

6341. Did he say anything about having promised Mr. Westropp?—He most distinctly never said that, otherwise I should have said the same to him as I always did to others, "If you have promised Mr. Westropp, I have nothing more to say to you." I have said that over and over again.

6342. Did he never tell you that?—Most distinctly he never did.

6343. Was he in a very good humour after your interview with him that day at Lovibond's?—I have no means of judging of that.

6344. Did he appear to give his vote to you reluctantly?—There seemed no reluctance; he shook hands cordially with us both.

6345. Did it seem to you as if the cause of his dissatisfaction had been removed?—Naturally, if a man gives me a promise to vote, having previously refused to promise, I take for granted that whatever grievance he had in his head has been removed.

6346. Will you allow me to look at the entry in your book in Aldridge's case?—Yes (*handing book to the learned Counsel.*)

6347. I see the entry is first, "out," then "shaky," then "won't promise"?—That is what I said the first time, that when I called upon him he would not promise, and then he gave a history about his license.

6348. I am speaking of Aldridge?—That applies to the next man. The next is Henry Cooksley; he appears to have promised Kinglake and Shelley, the first time I saw him.

6349. Will you tell the Committee in what way you thought he was shaky?—How can I tell you now? That is a memorandum I put of my own opinion at the time.

6350. You said you could explain it?—No, I beg your pardon, I am not going to attempt to explain these observations that I put in the book at this distance of time.

6351. Was it from the result of the conversation that you had with him that you made this entry of "shaky"?—I suppose so.

6352. Mr. *Powell.*] This applies to the next man Henry Cooksley. First, there is written "no promise," then that is struck out and "shaky" is written over; therefore "shaky" applies to Cooksley?—It distinctly does apply.

Mr. Paul Reed, sworn; Examined by Mr. *Powell*

Mr. *P. Reed.*

6353. I understand you are a solicitor practising at Bridgwater?—I am.

6354. How many years have you practised there as a solicitor?—About 15.

6355. I believe you took an active part in the last election?—I did.

6356. Do you remember having called upon a voter of the name of Aldridge, in Berkely-street?—I do not.

6357. Do you recollect the man?—He has been pointed out to me in the lobby, but I was not personally acquainted with him before this by sight.

6358. Now that he is pointed out to you, do you

you remember having called upon him?—I do not.

6359. Did you ever tell him or any other elector of your having an interest in any railway or any other company, and being able to offer his sons situations on the line?—Never.

6360. Or not words to that effect?—Certainly not.

6361. Did you ever offer to take any of his sons into your office?—Never.

6362. Or into the office of any other person?—No.

6363. Do you remember making any other promise whatever with reference to their votes, either to Aldridge or any other elector in Bridgwater?—Certainly not.

6364. Do you know a man of the name of Temblett?—I did.

6365. Did you ever say to him, "If the franchise won't do, and the ballot won't do, what do you say to a little sugar"?—Never.

Cross-examined by Mr. *Longfield.*

6366. Do you know this man Aldridge at all?—Yes.

6367. You do not recollect any conversation with him to that effect?—I do not say I do not recollect, but that no such conversation took place.

6368. Do you remember ever canvassing him, or seeing him at all?—I do not.

6369. Or could you have said, even in jest, "If the ballot won't do, sugar must do"?—Certainly not.

6370. Did you canvass often with Sir John Shelley and Mr. Kinglake?—Most days.

6371. Did they canvass separately or jointly?—As a general rule, together.

6372. But did they frequently canvass separately?—Not frequently.

6373. Did they at all?—They may upon one or two occasions.

6374. Can you tell, when you canvassed jointly, who generally accompanied you?—Mr. Henry Lovibond, Mr. Benjamin Lovibond, Mr. Cook, and Mr. George Shelley, upon one or two occasions.

6375. Do you remember Bussell, or Wilton, or John Smith?—I never saw Bussell canvassing with them. I certainly recollect Mr. Wilton, but I believe it was only on one occasion.

6376. Do you recollect John Smith canvassing with them?—I do not.

6377. Do you remember the committee rooms there?—I do.

6378. Did you frequently go into them, or at all?—I did.

6379. Do you know a man of the name of Webber?—Webber, the messenger.

6380. He was employed at the committee rooms?—I really do not know.

6381. You were employed as agent both for Sir John Shelley and Mr. Kinglake?—I was.

6382. Who had the charge of the committee rooms?—I cannot say.

6383. What committee rooms were you in the habit most frequently of attending?—I went, I believe, on two occasions to the committee room at Manchip's, and on two or three occasions to the committee room on the Corn Hill.

6384. Who used you to see there principally?—I never went there in the day; but of an evening I saw many electors.

6385. Could you tell the names of those whom you saw there; you saw, perhaps, Mr. John Smith, Mr. Wilton, and Mr. Bussell, and others?—Certainly.

6386. You saw them there frequently?—Yes, I saw them there on two or three occasions.

6387. When you were there you met them?—I cannot say whether upon each occasion, but I certainly saw them there.

6388. Do you remember the committee room at Phelps', the "Commercial Hotel"?—I was never there but once.

6389. When you were there, I presume, you saw the same people that you have mentioned now?—No, I think not. Mr. Wilton was there.

6390. Did Mr. Benjamin Lovibond accompany the candidates frequently in the canvass?—Not so often as the other gentlemen, he being rather infirm.

6391. But still frequently?—He did now and then certainly.

6392. In fact he accompanied them several times?—Yes.

6393. Though not so often, from his infirmity?—Certainly.

6394. Used you to go to Mr. Benjamin Lovibond's office to consult with him about the election?—Now and then.

6395. Not very often?—Very seldom indeed.

6396. When you went there, did you ever see the two candidates there?—I think I saw them there once.

The *Chairman* stated, that the Committee were very desirous of hearing the evidence of Mr. James Cook, junior.

Mr. *Sleigh* stated, that he proposed to call evidence in reply, for the purpose of contradicting Mrs. Badger in respect of some of the statements which she made.

Mr. *Powell* was heard to argue against the reception of this evidence.

Mr. *Sleigh* was heard in reply.

The *Chairman* stated, that the Committee were of opinion that there would be no end to this sort of examination, and that therefore the Committee would not receive it.

Re-examined by Mr. *Powell.*

6397. I have only one question to ask you, Mr. Reed, and that is this; you have spoken about being present of an evening, and some persons, whose names you have given, being present; were those meetings held for hearing speeches or for doing the work of the election?—Entirely for hearing speeches.

Mr. James Cook, Junior, sworn; and Examined by Mr. *Powell.*

6398. You are a Solicitor, practising at Bridgwater?—Yes.

6399. Do you know a person of the name of George Heal?—Quite well.

6400. Have you had several professional transactions with him?—Many.

6401. Do you remember, on the 12th July, when you were in Eastover receiving a communication from him?—I do.

6402. Who brought you that communication?—Philip Gilbert, the younger, who lives in the Bath-road, nearly opposite Mr. Heal's.

6403. What

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6403. What was it that he said to you?—The words which I believe he used were these: Mr. Heal wished me to come up in town to see who I could see.

Mr. *Sleigh* objected to this evidence, on the ground that Mr. Heal was not present at this conversation.

Mr. *Powell* was heard in support of the question.

Mr. *Sleigh* was heard in reply.

The *Chairman* stated, that the question was not a correct one and could not be put.

6404. Mr. *Powell.*] Young Gilbert, you say, came to you, and said he had got a message from George Heal?—He gave me a message.

6405. Now, in consequence of what Gilbert said, did you send an answer to that message by the man Wescott?—I should tell you that, after the message was given by Gilbert to me, I gave Gilbert himself an answer to it, and, in consequence partly of that message, I sent Gilbert to a public house kept by a Mr. Pimm, called the "Golden Lion," in St. John-street; and then, knowing that he was going to return to Heal's very quickly, I happened to see the ostler, whose name is Wescott, in Eastover, and I asked him to go down to Heal's in the Bath-road, and say, "if he wanted money, he had better vote for Mr. Westropp, as the Liberals could not think of any thing of that kind."

6406. Is it true that you said he was not to depend upon you, and that if he could do any good for himself by going on the other side, he was to do so?—I believe the message I sent was exactly as I have quoted, or words to that meaning and effect.

6407. Did you ever have any conversation with Mr. Heal about money matters relating to the election?—Not one word.

Cross-examined by Mr. *Sleigh.*

6408. You were at the triumphal entry of Sir John Shelley and Mr. Kinglake into the borough?—I have no doubt; I was at the railway station.

6409. The one which is kept by Phelps, is the "Commercial Inn"?—Yes.

6410. Did you hire that room of Mr. Phelps?—I have no recollection of doing it.

6411. Just tell me; did you, or did you not, hire that room from Phelps?—I know there was a conversation about the room there, but I could not be positive that I hired it.

6412. From time to time, and during the canvass, were you at the "Commercial Inn"?—I think I was there in the house three times only during the election.

6413. Did you give orders to Mr. Phelps in reference to refreshment, drink, and so on, during the election?—I never gave Mr. Phelps the orders having reference to the refreshment during the election.

6414. No orders whatever?—None whatever.

6415. Were you ever present when people were there drinking and having refreshments during the election?—As I said before, I believe I visited Mr. Phelps' house three times during the election; and of one of those visits, the first was a professional one.

6416. Do you know Wescott, the ostler?—I believe I know the man you mean, but I do not know his name.

6417. Used you to see him there occasionally driving a carriage when you were there?—On one occasion he drove Mr. Kinglake, Sir John Shelley, and me to Highbridge, to see two voters there, and I think that was one of the occasions out of the three to which I have referred.

6418. No doubt you gave Mr. Wescott orders as to where he was to drive, and what he was to do?—I never was driven by Wescott, except upon that occasion, and never on any other occasion did I give any instructions to Wescott.

6419. If Wescott has said that he received orders from you from time to time, it is utterly and wholly false?—It would be quite untrue.

6420. You never gave him any orders, upon any occasions, for anything during the whole of the election?—Never, except the messenger, of which reference has been made, and the drive to Highbridge, which I have also stated; I think I may venture to say that I gave him no instructions whatever.

6421. Did you accompany Sir John Shelley and Mr. Kinglake during the canvass?—I have, partly; the Bath Road was canvassed by Mr. Kinglake, Sir John Shelley, and myself.

6422. Now, you remember the morning of the poll, of course?—Quite well.

6423. Did you see Wescott that morning?—I have no doubt that I saw him.

6424. Did you drive up to the "Commercial Inn" in a dog-cart?—I believe I was using a dog-cart; at least, a Whitechapel, which is about the same thing.

6425. Did you alight at the "Commercial"?—I am not quite sure about that.

6426. Whether you got down or not; did not the ostler come up to the Whitechapel, as you call it, and did you not then speak to him?—I think the time to which you are now referring is, when I asked him to go to Mr. Heal's with that message.

6427. Was that about 11 in the morning?—Not quite so late; I cannot positively fix the time, but I should think it would be nearer 10.

6428. At that time of the day had you ascertained the state of the poll?—I regarded the election as virtually over.

6429. That is to say, that Mr. Westropp and Mr. Kinglake were perfectly safe?—Yes.

6430. Now, when you desired Wescott to go to Heal's, did he tell you whether he knew where Heal lived or not?—Well, I am not quite sure as to whether he asked me, as he knew where Heal lived; he might have done so.

6431. Now, did you not tell him that it was at the "Bath Bridge Inn"?—Yes; that was the man I wanted to have sent, and it is possible, if he asked the question, I might have given that answer.

6432. Now, my learned friends have called your attention to what he has sworn, and you tell us to-day frankly that there is no truth in it at all; what did you send him down for?—I have already told you that I received a message from Heal, through Gilbert, and that I requested Gilbert to go to Pimm's in John-street, to see the practices that were going on there, and knowing that Heal would not have an answer to his message, it was for that reason that I asked Wescott, the ostler, to go to Heal's.

6433. I do not understand, but it might be mere obtuseness, what you sent to Heal's about that morning; you know the election was virtually over, and it was nearly 10 or 11 o'clock; give

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give me something like an intelligible reason for sending down to Heal's?—I can give no other reason than that which I have given.

6434. You and Heal, according to your statement now, had no connection whatever in reference to the election?—I think I may very truly say that I did not go to Heal's house during the whole of the election; but I think that I saw him upon one occasion in the town, just about the time of the dissolution of Parliament.

6435. Did you tell Wescott, the ostler, to tell him, that he must not depend upon anything from your side, that if he could get anything from the other side he had better take it?—No, those were not the words.

6436. What were they?—The message that I sent was, that "if he and the rest wanted money he had better vote for Mr. Westropp, as the Liberals would not think of giving any."

6437. This was when the election was virtually decided?—Perhaps it might have been.

6438. That was my notion about it; then why on earth should you send a message of that kind to Mr. George Heal?—Simply because I had received a message from him, through Gilbert; and, Gilbert being unable to go to him to give the message, I having sent him to Pimm's to see the practices that were going on there, I sent the other man.

6439. But why on earth should you send this message to him?—I may say this; if I had not received that message I should not have dreamed of sending an answer.

6440. That is the only explanation you can give?—That is the only explanation.

6441. What was the message you sent?—That if he and the rest wanted money they had better vote for Mr. Westropp, for the Liberal side were not giving any.

6442. Was anybody present when you gave this message?—I have no recollection.

6443. Then, in point of fact, if Wescott has said that which I have told you he has said, that is a deliberate falsehood?—If he has used any language which would give a different meaning to that which I have used, it would be untrue.

6444. By the *Committee.*] Did you order or pay for two or three bottles of champagne in Phelps' hotel?—No, I never drank any champagne during the election.

6445. Did you order and pay for any?—No, I gave no orders whatever at Phelps' having reference to any refreshments at all, either champagne or any other kind of drink.

6446. Did you or did you notmake use of these words to Mr. Phelps, "All right, George, go on"?—Certainly not, I made use of no expression of the kind; I believe, as I have already said, that I paid three visits to the house; the second was on the occasion when the ostler drove Sir John Shelley, Mr. Kinglake, and myself to Highbridge.

6447. Mr. *Powell.*] Are the Committee to understand that you gave no orders to the landlord of that hotel whatever?—None whatever.

ALEXANDER WILLIAM KINGLAKE, Esquire (a Member of the House), sworn; Examined by Mr. *Powell.*

A. W. Kinglake, Esq.

6448. YOU are at present the Sitting Member for Bridgwater, and you have represented that place in the previous Parliament?—In two previous Parliaments; since 1857.

6449. You went down, I presume, in the usual course previous to the last election?—Yes.

6450. Was there at any time during the election any serious contest as respects yourself being one of the Members?—There were two seats and only three candidates, and as Sir John Shelley was a man of honour, coming down to be introduced to my friends by me, it was, of course, certain that he would not endeavour to exclude me from the representation, consequently my return I regarded as certain.

6451. Now, I will ask you this general question; are you at all aware of any bribery or any corrupt practice directly, or indirectly, practised on your behalf?—No.

6452. Who was your agent at that election?—My agents were Mr. Bate, Mr. Henry Lovibond, Messrs. Reed and Cook, and Mr. Barham.

6453. Was Mr. Benjamin Lovibond your agent at all during that election?—Never. When I went down in 1852, which was my first election for Bridgwater, there were three Liberal candidates, and consequently, of course, a split in the Liberal party. Mr. Benjamin Lovibond represented Colonel Tynte and Lord Henley.

6454. As against you?—As against me; therefore, of course, for the time there was a most bitter hostility between my friends and Mr. Benjamin Lovibond; it was a more acrid conflict than there was between the political parties.

6455. By the *Committee.*] The quarrel was made up last year?—No, not last year, but on the eve of the election of 1857; I think after the writ had gone down; at all events, within two or three days of the election, a reconciliation of these two sections of the Liberal party took place, the Tynte section, and the Kinglake section, as they were called; and it was arranged that we should act together in the most cordial manner; but the idea of Mr. Benjamin Lovibond acting as an agent for me was never for a moment entertained, and there always remained some trace of that sort of distance that had originated in the hostile position that they had formerly been in.

6456. Mr. *Powell.*] Your evidence is that, at the last election, he did not act as your agent?—Certainly not, and never at any election.

6457. Now, do you remember being with Sir John Shelley, at Mr. Benjamin Lovibond's office, on the occasion when you saw a voter, named William Heal?—Yes, I do.

6458. Had you previously canvassed that voter?—I believe so, but I cannot speak of my own personal recollection.

6459. At that interview at the office, had he promised you and Sir John Shelley to vote for you?—He did. We were discussing some matter, I forget what, when, with some abruptness, the door was opened, and we were suddenly told that Mr. Heal was there; he shook hands with me, and promised me his vote.

6460. And I believe you thanked him for his promise?—Yes, no doubt.

6461. Did you hear anything said at all on that occasion, of 40 *l.*, or anything of the kind?—Nothing whatever; it was but a moment; he burst, as it were, into the room, and the promise was

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was given; there was no discussion, and no conversation at all.

6462. Do you remember anything being said, after the promise was given, about its not being made known?—That I do not recollect. I have heard it stated in the room, but I have no recollection of it.

6463. Now, have you seen in the room a witness of the name of Tremblett, a baker?—Yes.

6464. Is it true that Mr. Paul Reed ever said to him in your presence, "If the franchise won't do and the ballot won't do, what do you say to a little sugar"?—Certainly not.

Cross-examined by Mr. *Longfield*.

6465. Do you remember calling with Sir John Shelley at Heal's, to canvass him?—I cannot say I have a distinct recollection of it, but it has been so much spoken of since I came into the room, that I hardly doubt that it is the truth.

6466. Then you do not recollect anything that may have occurred at that interview with Heal?—No, I do not.

6467. He did not promise you upon that occasion to vote for you, did he?—It seems not.

6468. Do you remember the fact of his being very angry, and his expressing dissatisfaction on that occasion?—No, I do not recollect it.

6469. Can you tell whether, on that occasion, Mr. Lovibond had a conversation with both him and Cook about it?—No, I have no recollection of it.

6470. You cannot tell whether he appeared angry upon that occasion or not?—No.

6471. But the fact is that he did not promise you then?—I think not, because I recollect the fact of the promise being treated as an acquisition, so as to induce us to shake hands upon it.

6472. It was the first you knew of it, in fact?—Yes.

6473. Do you know whether he had been, some little time before, at Mr. Lovibond's office?—No, I have no knowledge.

6474. All that you recollect is, that he burst into the room with an instantaneous announcement that he was going to vote, and shook hands with you?—Yes.

6475. Do you recollect this taking place, your saying, "You will vote for us," and his saying in reply, "If Mr. Lovibond wants me he knows where to find me"?—No, I do not recollect that.

6476. That might have occurred without your recollecting it?—It would be inconsistent with my recollection, because I understood him to speak as a man who was enthusiastic and promising.

6477. The fact is that that conversation on the previous canvass you have no distinct recollection of, save that he promised you on the last occasion?—Yes.

6478. And you do not recollect his desiring to keep it secret, because he had been in the enemies' camp?—No, I do not recollect that.

6479. I believe you stayed during the election at the house of a person of the name of Allen?—Yes.

6480. Used you to go frequently, or at all, out canvassing by yourself?—Scarcely at all.

6481. But you have gone occasionally?—I may have gone to the house of some voter for some purpose or other, but I could not have gone canvassing without my canvassing friends.

6482. Who were they?—Mr. Paul Reed; occasionally, Mr. Cook; sometimes, but on comparatively rare occasions, Mr. Bate.

6483. Mr. Bate was rather infirm at that time, was he not?—He was not in a good state of health.

6484. Used you to call on Sir John Shelley at Benjamin Lovibond's office?—I used to go with Sir John Shelley there, from time to time.

6485. Frequently?—I should hardly say frequently. I was there several times.

6486. Used Mr. Lovibond to accompany you often on the canvass?—No, hardly ever, because he was, as I think the Committee has learnt already, lame, and it was physically impossible for him to go about from house to house canvassing. He used to come out on horseback occasionally, but he never got off his horse.

6487. He went out canvassing occasionally on horseback with you?—I should rather say that he would meet us at a portion of the canvass, and he would ride on from door to door.

6488. You know the committee rooms?—I know very well the committee room in Cornhill, because it was opposite the house at which my quarters were.

6489. Is that in Fore-street or Cornhill?—It is just at the junction of Fore-street and Cornhill.

6490. Used you frequently to visit this committee room?—Yes; we used at night or in the evening to meet our supporters there, and make little speeches, and so on.

6491. And during the day your supporters used to come in and out?—Yes, everybody might come in or out. The system of these committee rooms was an improvement on the system in 1852, because, in 1852 one used to be called upon to go to public-houses in the evening, and go into rooms where people were drinking, and make speeches to them. These committee rooms, or rather that particular one, superseded that system, because there was an airy, spacious room where people met, and heard what speeches there were, and went away tolerably well satisfied.

6492. Used you to see there, frequently, Mr. Wilton and Mr. John Smith, and several others; used your landlord, for instance, to attend there?—I do not recollect seeing either of the persons you have mentioned, but I should be sorry to cause any doubt as to the probability of their being there, because they were systematic supporters of mine.

6493. Do you know Mr. Henry Chapman Bussell?—Oh, yes.

6494. Did he frequently accompany you on your canvass?—Never. He was a man, I recollect, that was always at his door; he kept the "Anchor Inn," and when we came canvassing in that part of the town he used to stop us and come out with something to tell us as to who was at home and that sort of thing, and he would walk on, according to my recollection, for some yards, but without his hat. I have no recollection whatever of his going with his hat on, and forming part of the canvassing expedition.

6495. Did you ever meet him in the committee room?—I never saw him there to my knowledge; but I think it is probable he would have been there amongst one's general supporters, because it was crowded.

6496. Do you know John Smith?—Oh, yes; he is a great friend of mine.

6497. Did

6497. Did he accompany you occasionally and canvass with you?—Never to my knowledge; I cannot recollect a single instance; he was always in his shop with his apron on.

6498. Did you see him in the evening at the committee room?—I do not recollect it, but, as I said before, I should imagine he would be there, because he was a great partisan.

6499. Mr. Bate, in truth, was not an active manager for you during the election?—Well, I consider him one of the most important of all my supporters, but he did not so much mix in details.

6500. Mr. Lovibond was an active person?—Mr. Henry Lovibond was.

A. W. Kinglake, Esq.

24 April 1866.

Mr. *Powell* stated, that the case on behalf of Mr. Kinglake and Sir John Shelley was now concluded, unless the Committee desired that any deposition or examination of Mr. Benjamin Lovibond should be taken.

Mr. *Sleigh* submitted, that it could only be taken in the shape of an examination, not in the nature of a deposition, and that all the Members of the Committee must be present.

Mr. *Powell* stated that he proposed to examine the medical attendant of Mr. Benjamin Lovibond with reference to the state of his health.

Mr. WASHINGTON LAFAYETTE WINTERBOTTOM, sworn; Examined by Mr. *Powell*.

6501. How long have you been in practice as a Surgeon?—Six years.

6502. At Bridgwater?—Five years at Bridgwater.

6503. Having of course gone through the ordinary training?—Yes.

6504. Have you been the medical attendant of Mr. Benjamin Lovibond?—Since I have been in Bridgwater.

6505. Have you seen him to-day?—I have.

6506. In what state is he?—In a very excited state; evidently the result of attacks somewhat similar to the one I treated him for at Bridgwater before his coming to London.

6507. What was that?—An apoplectic seizure of a slight nature, involving temporary paralysis of the left side.

6508. Are you aware that he came to London?—Oh, yes.

6509. In your judgment, is he capable of undergoing an examination and cross-examination in the presence of counsel and solicitors?—How many people would that involve being in the room?

6510. About six.

Mr. *Sleigh* stated, that as it would be necessary for the Committee to be present, there would be more than six persons present.

Mr. *W. L. Winterbottom*.

Mr. *Powell* referred to the Minutes taken in the Cork City Election Petition in 1857, with a view to show that a deposition of the Witness could be taken and read as evidence before the Committee.

Mr. *Longfield* was heard in opposition to this proposal, and stated that it was for the other side to suggest a mode by which the witness could be properly examined, and he also stated that he should not like to be a party to any proceeding which would endanger the health of Mr. Lovibond.

The *Chairman* stated that, after that intimation, and taking into consideration the difficulties which attend it, the Committee were of opinion that they had better dispense with the evidence of Mr. Benjamin Lovibond.

Mr. *Powell* stated that it might be convenient for the Committee to know that he did not intend to proceed with the scrutiny by the Petitioners, with a view of obtaining the seat, unless the Committee should desire further information as to the state of the borough, which could be given them by a *quasi* scrutiny.

The *Chairman* intimated that the Committee were of opinion that that was a most judicious proceeding.

[Adjourned to to-morrow, at 11 o'Clock.

Wednesday, 25th April 1866.

WILLIAM E. BAXTER, Esq., in the Chair.

Mr. *Powell* stated that Mr. Benjamin Lovibond, understanding that the case was about to be closed without his being examined, had insisted, notwithstanding his illness, upon being examined.

Mr. Benjamin Lovibond, sworn; Examined by Mr. *Powell*.

Mr. *B. Lovibond.* 25 April 1866.

6511. A person named Hayward has come from Bridgwater, who is a hairdresser, and he says that you called upon him one day and had your hair cut, and had some casual conversation with him about the election; and that two or three days afterwards you called again, and, after waiting some time, he being otherwise engaged, you went up into his room, and sat down; that he came and put the wrapper round you as usual, and began cutting your hair; that you then said, "I do not want my hair cut, I have come to speak to you about the election;" that you then said to him, that if he would come and act with you and your party, that it would be worth 50*l.* to him; did you ever say anything of the kind to him, or anything about it; is it true, or is it not true, that you told Hayward, the hairdresser, that?—I never did tell him.

6512. Did you ever write a note or letter to him in your life?—I say, no, decidedly.

Mr. *Powell* stated that he now proposed to examine the Witness with respect to William Heal.

The *Chairman* stated that he need not go into that.

Cross-examined by Mr. *Longfield*.

6513. Were you at Mr. Hayward's two days before the election, and did you have your hair cut twice?—No, only once. I called there the day that Sir John Shelley and Mr. Kinglake began their canvass; we happened to begin just by Hayward's house; I wanted my hair cut, and ran in there, and he did cut my hair.

6514. Did he cut it a second time before the election?—Oh, dear, no.

6515. Did you ask him to call upon you, or direct your clerk to send him a note desiring him to call?—I am not aware that I ever sent him a note either by my clerk or by myself; I have sent my groom occasionally, and I have sent the office boy, if I wanted Hayward.

6516. By the *Committee*.] You might have sent him a note?—For my hair being cut, but for no other object, I swear.

6517. Mr. *Longfield*.] Did you know before the election which way he was going to vote?—It never occurred to me to inquire; I only know that he always used to vote for Colonel Tynte.

6518. Do you know a man of the name of Rood?—No, I do not.

6519. Of Cannington?—No, I do not know him.

Re-examined by Mr. *Powell*.

6520. I do not understand from you clearly whether you had your hair cut once or twice?—Once.

6521. Once only?—I separated myself from Sir John Shelley to get my hair cut, and returned directly to him.

6522. By the *Committee*.] We understand you to say you were only once in his shop at that time?—Only once.

6523. Mr. *Longfield*.] Was Mrs. Upham there at the time?—No; she was not to hear what passed. From the disgusting conversation of that man to me, I desired my daughter, who has got a boy who goes there sometimes (for he has got very nice rooms), not to let him go again: I said, "Pray do not let him go to that shop again; Hayward has offended me."

6524. By the *Committee*.] How had he offended you?—That is the very thing upon which I must claim to be heard. When I went in to have my hair cut, and had just separated from the two candidates, Sir John Shelley and Mr. Kinglake, just as he began to clip my hair, he said, "Well, Sir John has come then; that is right, and I hope he will turn out a good man for Bridgwater." Then he went on: "You know well that I have voted a long time for the Tyntes;" he knew that I had always assisted Colonel Tynte in his elections, and he said, "I never had a shilling from

the Tyntes in my life; I will alter that now; I have made up my mind to receive 50*l.*"

Mr. *Longridge* objected to this statement, on the ground that Mr. Hayward had not been cross-examined about it.

Mr. *Powell* stated, that he did not cross-examine Mr. Hayward about it, because he was not aware of it.

The *Committee* decided that the statement might be made.

6525. Mr *Powell.*] Go on, Mr. Lovibond?—Hayward said to me, "I have made up my mind to have 50*l.* I am very oddly circumstanced at present, you know; I have laid out a great deal of money in altering my rooms; and, in addition to that, I have erected a new machine for brushing hair; I have done it on borrowed money, and I owe 50*l.*, which I must clear off at this election, and intend to." I said, "I beg you will not resume that subject; it is a matter that I never interfered with in my life, and I beg you will not mention it again." In a very short time afterwards the operation of cutting my hair was finished; I paid him, and quitted his house, and from that hour to this I have never entered it, and have never exchanged a word with that man.

Mr. *B. Lovibond.*

25 April 1866.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

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WITH THE

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Cooze, John. Canvass of witness on behalf of Mr. Westropp, by Mr. Boys, clerk to Messrs. Smith & Son; inducement held out to witness by Mr. Boys to get a bribe from the Liberal party, and to give information in the matter, *J. Cooze* 14-27. 58-61——Details as to witness having subsequently received 10 *l.* from Mr. Boys, and having plumped for Mr. Westropp, *ib.* 28 *et seq.*——Circumstance of witness having also received 10 *l.* from the Conservative party at the election of 1859, *ib.* 134-143.

Evidence in support of the charge of bribery in the case of John Cooze, *Dyer* 147-180——Witness obtained from Cooze's wife the ten sovereigns received by Cooze, and, having marked them, took them at once to Mr. Kinglake's committee-room, *ib.* 162-173——At the election of 1859 Cooze voted for the Liberals, *ib.* 181-188.

Statement as to witness having received from her husband the ten sovereigns obtained by him from Mr. Boys, and having subsequently given these up to Mr. Dyer in exchange for other 10 *l.*, *Sarah Cooze* 239-264——Information relative to the receipt by witness of 10 *l.* of Mr. Westropp's money before the election of 1859, in respect of her husband's vote, whereas he voted for the Liberals, *ib.* 271-288.

Witness, who is clerk to Mr. Benjamin Lovibond, received the ten sovereigns from Mr. Dyer on the morning of the election, which had been given to Cooze for his vote; these sovereigns are still in witness's possession, *Fletcher* 289-294.

The voter Cooze never promised witness his vote, nor did witness see him when he called to canvass him, *Westropp* 1656-1660——Evidence in denial of the statement of John Cooze that he received 10 *l.* from witness as a bribe to vote for Mr. Westropp, *Boys* 2832-2895——Circumstance of witness having accompanied Cooze to the poll, *ib.* 2885, 2886. 2998-3003——The statement of Cooze as to his bribery by witness is a fabrication altogether, *ib.* 3020-3033——Witness heard of Cooze's story shortly after the election, but took no steps in the matter, *ib.* 3034-3042. 3091-3094.

Statement tending to disprove the evidence of John Cooze as to his having received a bribe of 10 *l.* from Mr. Boys, at the "Albion Hotel," before going to the poll, *R. Bussell* 3095-3111. 3267, 3268——Circumstances under which Cooze stated, shortly after the election, that he had received the 10 *l.*, not from Mr. Boys, but from Mr. Edward Stroud, *ib.* 3112-3127——Statement as to the voter Cooze having said some days after the election that it was witness from whom he had received 10 *l.* as a bribe; this was a positive falsehood, *Stroud* 3323-3332. 3458-3462. 3471.

Resolution of the Committee as to the bribery of Cooze having been proved, *Rep.* iii.

Corrupt Practices. Resolution of the Committee that there is reason to believe that corrupt practices have extensively prevailed at the election, *Rep.* iii.

See also *Bribery. Treating.*

Evidence, 1866—*continued.*

D.

Dyer, Ambrose. (Analysis of his Evidence.)—Statement relative to the case of John Cooze, and the circumstances under which witness became cognizant of his having been bribed with the sum of 10 *l.*; 147 *et seq.*——Particulars in connection with certain committee-rooms, so called, of Shelley and Kinglake, 191-238.

Dyment, William. Witness never spoke to one William Dyment about his vote on the day of the election, *Bussell* 3193-3204.

E.

Edwards, Mr. Examination with reference to Mr. Edwards having come forward as a candidate, in conjunction with witness, and having suddenly retired, *Westropp*, 1858–1890.

Election of 1859. Defeat of witness at the Bridgwater election in 1859, by about the same majority which he had over Mr. Kinglake at the last election, *Westropp* 1580–1584——Strong feeling expressed by witness's supporters in 1859, that he should come forward at the next election, *ib.* 1585.

Expenses of Election. Positive declaration by witness that he did not expend, and has not promised to expend, 1 *s.* more than the sum returned in the accounts, *Westropp* 1662, 1663.

With regard to the payments made by witness for circulars, &c., the other members of the committee may repay him, but he does not expect to be refunded by Mr. Westropp, *Lilley* 2146-2155——The whole of witness's election expenses were less than 200 *l.*, *Sir J. Shelley* 6262.

F.

Fenner, George. Details as to Mr. John Smith having promised witness, before the last election, that he might have some "sugar," meaning thereby money, if he would support Shelley and Kinglake, *Fenner* 5674 *et seq.*——Circumstance of witness having received 10 *l.* from Mr. Smith after the election of 1859; *ib.* 5704-5709. 5712-5717. 5733, 5734.

G.

Gilbert, Philip. Evidence to the effect that Mr. John Veysey and Mr. Heal made certain promises to witness if he would vote for Mr. Westropp, *P. Gilbert* 1081 *et seq.*——Witness refused to take 10 *l.* for voting for Westropp, and eventually voted on the other side without a bribe, *ib.* 1107–1136——Canvass of witness by Mr. Veysey and Mr. Westropp together, the former having also canvassed him on several other occasions, *ib.* 1181–1197.

Statement relative to a conversation between witness and Philip Gilbert about the vote of the latter; denial that anything was said by witness or by anyone in his presence about Gilbert being paid if he would vote for Mr. Westropp, *Veysey* 2305-2335. 2427 *et seq.* 2618.

Resolution of the committee as to this case of attempted bribery having been proved, *Rep.* iii.

Gilbert, William Baldock. Circumstances under which witness went from Bridgwater to South Molton, to see William Baldock Gilbert in reference to the present inquiry, *Boys* 3043-3055——Denial by Gilbert that he had been bribed by witness, as had been reported, *ib.* 3073-3077——Statement by Gilbert as to his having received a letter before the election, purporting to be signed by a servant of Mr. Lovibond, holding out inducements to him to vote for Sir John Shelley, *ib.* 3074——Circumstance of Gilbert having told witness that he had received 10 *s.* worth of postage stamps in an envelope a few days before the election, *ib.*

Witness voted for Mr. Westropp; he now lives near South Molton, *W. B. Gilbert* 4494-4497. 4600, 4601——About a week before the election, witness received a letter from John Cheriton, Mr. Lovibond's coachman, but has lost it since his arrival in London; details hereon as to the circumstances under which the letter was lost, witness having slept with Cheriton one night, and not having seen it since, *ib.* 4498–4569.

Receipt by witness of 10 *s.* in postage stamps in an envelope, a few days after he had received the letter from Cheriton, *W. B. Gilbert* 4570-4576——Statement as to Cheriton having on the election morning offered to guarantee that he should have 3 *l.* more than from the other side if he would vote for Shelley and Kinglake, *ib.* 4589–4595——Cheriton asked witness to go to the committee-room, where Mr. Lovibond was, *ib.* 4596–4599.

Evidence, 1866—*continued.*

Gilbert, William Baldock—continued.

Circumstance of witness having been served with a Speaker's Warrant by Cheriton, to appear as a witness on behalf of Sir John Shelley and Mr. Kinglake, *W. B. Gilbert* 4602–4605——Denial by witness that he told Cheriton he knew many who had been bribed, *ib.* 4606, 4607——Denial also that witness told Cheriton that George Pugh was one of those who had been bribed, *ib.* 4608-4618——Examination in denial of witness having written a certain note to Cheriton, produced before the Committee; witness will not, however, swear that he did not write this note, *ib.* 4619-4667.

"*Golden Lion,*" *The.* Cross-examination with reference to witness having been at the "Golden Lion" early on the election morning; also as to the persons seen by him there, some of whom probably went thence to the poll, *Coles* 5374 *et seq.*

See also *Treating.*

H.

Harwood, James. Statement as to Mr. Harwood having held out a certain promise to witness if he would vote for Mr. Westropp, *F. Jones* 857–877——Witness does not know Mr. Harwood at all, *Westropp* 1671——Doubt whether Mr. James Harwood was a member of the committee; explanation hereon as to a letter from Harwood to witness about the vote of a man named James Rogers, *Lilley* 2105–2111. 2131–2145——Witness polled for Mr. Westropp; he never was promised any money during the election, *Harwood* 3472–3478——Statement with reference to witness having supplied tea and coffee to several voters on the nomination night, *ib.* 3479–3484. 3539–3550——Denial that witness promised a voter named Frederick Jones that if he voted for Westropp it should be made "all right" to him, *ib.* 3486–3497. 3564–3579.

Explanation of the circumstances under which witness's wife wrote a letter in his name to Mr. Lilley, stating that witness "had promised James Rogers to be made right," *Harwood* 3498-3538. 3579——Witness never had any authority from Mr. Lilley or any one else to spend a single shilling, *ib.* 3506——Denial that witness ever said to a man named Joseph Reeves that "he had got his list all right," *ib.* 3551–3559.

Hayward, Charles. Witness, who is a hairdresser at Bridgwater, was canvassed by Mr. Westropp, and promised to vote for him, *C. Hayward* 3821–3827——Particulars as to the circumstances under which Mr. Benjamin Lovibond called at witness's shop, as though to have his hair dressed, and said he would make it worth 50*l.* to him if he would work on the side of the Liberal candidates; cross-examination in detail hereon, *ib.* 3828 *et seq.*——Statement as to Mr. Lovibond having sent witness a note on the nomination day, asking witness to go to his office immediately; witness at once burnt this note, *ib.* 3853–3861. 3871–3880. 4007–4036.

Statement as to witness having seen his daughter on the stairs, whilst Mr. Lovibond was with him, *C. Hayward* 3967–3999——Denial by witness that he ever said anything to Mr. Henry Chapman Bussell about being paid to vote for Mr. Westropp, *ib.* 4037–4074——Witness was canvassed by Sir John Shelley, but positively denies having promised to vote for him, *ib.* 4072–4080——Denial also that witness told Mrs. Badger he could get 10*l.* for her son's vote for Westropp; Mrs. Badger, on the other hand, said her son would make witness a handsome present if he would vote for Sir John Shelley, *ib.* 4081–4104. 4118–4131.

Witness, who is a daughter of Charles Hayward, supplies sundry details in regard to Mr. Lovibond having been at her father's shop before the election, when she heard him say to her father it would be worth 50*l.* to him, if he would help the Liberal side, *Eliza Jane Hayward* 4148 *et seq.*——Statement also, and cross-examination thereon, in regard to a note sent by Mr. Lovibond to her father on the nomination day, *ib.* 4170–4196——Cross-examination with reference to witness having been on the staircase when she overheard Mr. Lovibond's remark about the 50*l.*, *ib.* 4217–4279.

Evidence in denial of certain portions of the statement of Mr. Charles Hayward; witness asserts, on the other hand, that Hayward offered, through her, 10*l.* for the vote of her son for Mr. Westropp, *Mrs. Badger* 6108 *et seq.*

Positive denial given to the statement of Hayward that witness held out any promise to him to support the Liberal candidates, *B. Lovibond* 6511–6523——Circumstance of Hayward having said that he owed 50*l.*, which he must clear off at the election, *ib.* 6523–6525.

Heal, George. Statement as to witness having on the polling-day delivered a message from Mr. Cook to Mr. Heal, of the "Bath Bridge Inn," to the effect that he (Mr. Heal) was not to depend on Mr. Cook, and might go to the other side if he could do himself any good by it; complaint made by Heal on receiving this message, *Wescott* 5002–5019. 5058–5061.

Witness, who is landlord of the "Bath Bridge Hotel," voted for Kinglake and Shelley; there was no committee-room at his house, *G. Heal* 5141–5144——Doubt whether Sir

Evidence, 1866—*continued.*

Heal, George—continued.

John Shelley's valet, William Mudgett, was at witness's house on the night before the election, *G. Heal* 5147-5158. 5176-5183——Examination upon the question of witness's house having been open till a very late hour on the nomination night, and of his supplying refreshments to several persons without requiring them to pay, *ib.* 5159-5195. 5227-5241.

Denial of a certain portion of the statement of John Wescott; admission as to witness having said that "surely his party were not going to throw him overboard," meaning thereby in the matter of drink supplied by him, *G. Heal* 5196-5241. 5282-5285——Probability of witness having said, after the election, that those who promised and did not give were much worse than those who promised and gave, *ib.* 5242-5254——Denial that witness ever said he was offered 25*l.* by his side, but would not take a farthing; as a matter of fact, he never took a bribe in his life, *ib.* 5266-5281.

Explanatory statement relative to witness having sent a message to George Heal, "that if he and the rest wanted money he had better vote for Mr. Westropp, for the Liberals were not giving any," *Cook* 6398-6407. 6422-6443.

Heal, William. Statement as to witness having received 10*l.* at the "Golden Lion" from a person of the name of Heal, before voting for Mr. Westropp, *Stoodley* 703-717——Offer of 10*l.* to witness by Mr. Heal if he would support Mr. Westropp, *P. Gilbert* 1112-1122.

Doubt as to the person or persons by whom witness was accompanied when he canvassed Mr. Heal, the brewer, *Westropp* 1844-1857——Belief that witness never saw Mr. Heal, the brewer, on the polling day, *Veysey* 2494-2506.

Explanation as to witness having voted for Mr. Westropp, though he had at former elections always supported the Liberal candidates, *W. Heal* 2619-2622. 2683-2706——Denial that witness had anything to do with the treating of voters at the "Golden Lion" on the polling day, *ib.* 2623-2644——Witness never gave money to the voter Stoodley at the "Golden Lion" on the polling day, *ib.* 2645-2657.

Positive denial that either at the "Golden Lion" or elsewhere witness gave any money to voters, or had anything to do with bribery, *W. Heal* 2657-2678——Circumstanee of the voter Staples having told witness that 10*l.*, said to have been received as a bribe, was really money in payment of freight due to him, *ib.* 2679-2682.

Examination as to the circumstances under which witness saw Mr. Kinglake and Sir John Shelley at Mr. Lovibond's office before the election; denial that he promised to vote for them, *W. Heal* 2689-2706. 2815——Parrticulars as to witness having been in and out of the "Golden Lion" on the polling day; further denial, however, of his having had anything to do with bribery there, *ib.* 2707-2740. 2818-2827——Degree of intimacy between Mr. Veysey and witness; reference hereon to the question of their having been recently in communication, *ib.* 2450-2773.

Conversation between Mr. Lovibond and witness about witness's vote, and subsequent interview on the subject at Mr. Lovibond's office, *W. Heal* 2774-2799——Complaint made by witness to Mr. Lovibond that he had not received 40*l.* which had been promised him at the former election for supporting the Liberal candidates; statement by Mr. Lovibond that this should be made right if witness would support Sir John Shelley and Mr. Kinglake, *ib.* 2800-2812——Reference made by Mr. Lovibond to the chances of the election in connection with the question of "anything being done," or of bribery being practised, *ib.* 2813-2816.

Canvass of witness by Sir John Shelley and Mr. Kinglake, accompanied by Mr. Benjamin Lovibond, *W. Heal* 4288-4292——Objection by witness to promise his vote, on the ground that the Liberal magistrates had refused him a license, *ib.* 4299-4306——Explanation relative to a sum of 40*l.* promised witness by the Liberals at the election of 1857, which was still unpaid at the last election, *ib.* 4299. 4321, 4322——Statement as to Mr. Barham having, on a subsequent occasion, asked witness to go to Mr. Lovibond's office, and as to witness having there been promised that the matter of the 40*l.* would be made right; interview of witness with the Liberal candidates on this occasion, *ib.* 4307-4343.

Cross-examination generally upon the foregoing evidence, witness adhering to the statement that Mr. Lovibond and Barham promised that the matter of the 40*l.* should be made right, *W. Heal* 4344 *et seq.* ——Conversation, after the election, between Mr. Barham, Mr. Carslake, and witness, when the former said that witness had taken a very active part in the election and had better make a clean breast of it, *ib.* 4393-4400.

Further statement as regards the conversation of witness with Mr. Barham and Mr. Carslake; nothing was said upon this occasion about witness having bribed, *W. Heal* 4401-4409——Belief that the 40*l.* transaction did not originate at the election of 1852, but at that of 1857, *ib.* 4410-4416.

Evidence in corroboration of the statement of Mr. Heal as to what passed on the occasion of his canvass by the Liberal candidates and Mr. Lovibond, witness having been present

Evidence, 1866—*continued.*

Heal William—continued.

present at the time, *Cooke* 4417-4441. 4485-4490——Confirmation also of the evidence of Mr. Heal, in regard to the 40*l.* transaction, and the promise made on the subject at the office of Mr. Lovibond, Mr. Heal having at the time told witness what occurred, *ib.* 4442-4462. 4491-4493——Presence of witness on the occasion when Mr. Barham remarked that Mr. Heal had better make a clean breast of it; the conversation was entirely jocular, *ib.* 4473-4484.

Explanatory statement with reference to the two-fold cause of complaint by Mr. Heal against the Liberal party, the conversation on the subject when he was canvassed, and the circumstances connected with the subsequent interview at Mr. Lovibond's office, *Barham* 5986 *et seq.*——Witness distinctly understood Heal to have promised to vote for Sir John Shelley and Mr. Kinglake, *ib.* 6020-6028——Reference to a conversation after the election, when it was suggested to Heal to make a clean breast of what he had done on behalf of the other side; Mr. Henry Cooke was not present when this was said, *ib.* 6030-6035. 6067-6073. 6107——Mr. Lovibond never said, in witness's presence, anything about "making it right" to Heal, *ib.* 6085, 6086.

Witness supplies particulars of the conversation when the remark was made about Heal "making a clean breast of it;" Mr. Cooke was not present on this occasion, and the conversation was anything but jocular, *Carslake* 6087-6106.

Distinct promise by Mr. Heal, the brewer, to vote for witness and Mr. Kinglake; reference to witness's canvass-book in proof of this, *Sir J. Shelley* 6266-6273——Further evidence relative to the voter Heal, and the circumstance of his having eventually promised to vote for witness and Mr. Kinglake, *ib.* 6330-6345.

Statement relative to an interview with William Heal at Mr. Benjamin Lovibond's office, when Heal promised to vote for witness; indistinct recollection of witness as to what passed on this occasion, *Kinglake* 6457-6478.

Hooper, George. Witness, who is in the employment of Mr. Riston, voted for Mr. Westropp, *Hooper* 4668-4672——Statement that George Barry, a foreman in Mr. Wilton's establishment, told witness, before the election, that he might have his (Barry's) situation if he would vote for Shelley and Kinglake, *ib.* 4673-4694.

J.

Jones, Frederick. Evidence to the effect that witness was promised money by Mr. Veysey and Mr. Harwood, if he would vote for Westropp, but that he voted for Shelley and Kinglake for nothing, *F. Jones* 839 *et seq.*

Denial of the statement of Frederick Jones as to witness and Mr. Harwood having held out certain inducements to him to vote for Mr. Westropp, *Veysey* 2258-2304——Circumstance of Frederick Jones having told witness that he was trying to get a promise out of Mr. Veysey, *R. Bussell* 3143-3153——Denial that witness promised a voter named Frederick Jones that if he voted for Westropp it should be made "all right" to him, *Barwood* 3486-3497. 3564-3579.

Resolution of the Committee as to this case of attempted bribery having been proved, *Rep.* iii.

K.

Kinglake, Alexander William (*Member of the House*). (Analysis of his Evidence).—Witness has represented Bridgwater since 1857, and at the last election considered his return certain, 6448-6450——He is not aware that, directly or indirectly, any bribery was practised on his behalf, 6451——Several agents of witness; Mr. Benjamin Lovibond was not one of these, 6452-6456.

Statement relative to an interview with William Heal at Mr. Benjamin Lovibond's office, when Heal promised to vote for witness; indistinct recollection of witness as to what passed on this occasion, 6457-6478——Practice generally of witness in canvassing, to be accompanied by some of his friends, 6479-6483——Mr. Benjamin Lovibond rarely canvassed, 6484-6487——Frequent visits of witness to one of the committee-rooms, all his supporters having access to it, 6488-6491.

Witness does not recollect seeing Mr. Wilton at the committee-room, 6492——Nor does he remember seeing Mr. John Smith, either at the committee-room or canvassing, 6492. 6496-6498——Mr. Henry Bussell never canvassed with witness, but he probably attended the committee-room, 6493-6495.

Kinglake, Mr. Resolution of the Committee that Mr. Kinglake is duly elected, *Rep.* iii.

Evidence, 1866—*continued.*

L.

Lilley, Edward. Statement as to witness having printed certain circulars from a copy supplied by Mr. Lilley, and as to his having been paid for them by a member of the firm of White and Mansfield who were employed in the matter by Mr. Lilley, *Wood* 1393-1421——Arrangement between Mr. Lilley and witness as to the latter letting a room as a committee-room; payment made to witness by Mr. Lilley, *Stokes* 1424, 1425. 1442.

Mr. Lilley frequently accompanied witness in his canvass, but had no instructions or authority to act for him, *Westropp* 1672-1676. 1826-1836——Active interest taken by witness in support of Mr. Westropp, *Lilley* 2004-2011. 2051-2071——Formation by witness and some others of a committee, the rooms used having been hired by witness, and paid for out of his own pocket, *ib.* 2012-2021——Explanation relative to a circular prepared by witness, and signed by Mr. Veysey, as secretary of the committee, *ib.* 2023-2029.

Entire absence of any authority to Mr. Veysey to expend any money, or to act in any way for the committee, *Lilley* 2030-2037——Except on one occasion witness did not see Mr. Veysey with Mr. Westropp, when canvassing, *ib.* 2038-2042——There was no meeting of Mr. Westropp's supporters after the nomination, at which the question of Mr. Westropp's going to the poll was discussed, *ib.* 2043-2048——Mr. Westropp had a majority of more than 100 promises, *ib.* 2049, 2050.

Examination relative to the persons composing the committee formed on behalf of Mr. Westropp, *Lilley* 2072 *et seq.*——Doubt whether Mr. James Harwood was a member of the committee; explanation hereon as to a letter from Harwood to witness about the vote of a man named James Rogers, *ib.* 2105-2111. 2131-2145——Doubt also whether Mr. Boys was a member of the committee, *ib.* 2123-2129——With regard to the payments made by witness for circulars, &c., the other members of the committee may repay him, but he does not expect to be refunded by Mr. Westropp, *ib.* 2146-2155.

Lovibond, Benjamin. Support given by Mr. Benjamin Lovibond to Sir John Shelley; he was not, however, a very active partisan, *Fletcher* 295-307——Statement as to Mr. Lovibond having authorised witness to give up the flags and colours of the Liberal party, which were in his possession from the former election, *Wadden* 5533-5544——Witness saw Mr. Lovibond canvassing on several occasions, *ib.* 5545-5550. 5559-5564——Evidence tending to show that Mr. Benjamin Lovibond was agent for Sir John Shelley, but not for Mr. Kinglake, *Carslake* 5735-5754.

Witness saw Mr. Lovibond with the Liberal candidates on two occasions, when canvassing, *Veysey* 5779-5784——Witness never saw Mr. Benjamin Lovibond actually canvassing, *H. Lovibond* 5911-5914. 5975——Mr. Lovibond took little (if any) part in the house-to-house canvass, *Barham* 6083, 6084; *Reed* 6390-6393——Very rare instances of Mr. Benjamin Lovibond having been with witness when canvassing, *Sir J. Shelley* 6295-6299——Mr. Benjamin Lovibond rarely canvassed, *Kinglake* 6484-6487.

See also *Hayward, Charles.* *Heal, William.*

Lovibond, Henry. (Analysis of his Evidence).—Explanation that witness acted as agent for Mr. Kinglake and Mr. Benjamin Lovibond as agent for Sir John Shelley, 5881-5888. 5900-5907. 5946-5950——Statement to the effect that there was no regularly appointed committee on the part of the Liberal candidates, 5889-5899. 5935-5945——Denial that a single shilling was promised or expended in bribery on the part of Mr. Kinglake, 5908-5910.

Witness never saw Mr. Benjamin Lovibond actually canvassing, 5911-5914. 5975——Nor did Mr. Henry Chapman Bussell ever accompany the candidates as a canvasser, though he joined them occasionally, 5915-5919. 5970-5973——Denial also that Mr. John Smith, the grocer, went canvassing from house to house, 5920-5934——With regard to any person having been employed or paid by Mr. Smith, this was without witness's cognisance or authority, 5941-5945. 5981-5983.

Particulars as to the manner in which the joint canvass of Mr. Kinglake and Sir John Shelley was conducted, 5954-5980——On one occasion only did witness see Mr. Wilton join the canvassing party, 5974. 5976, 5977.

M.

Messengers. Information relative to the employment and rate of payment of witness, as messenger, on the part of Shelley and Kinglake, *Webber* 1223-1249.

Evidence, 1866—*continued.*

O.

Osborne, Henry. Information relative to certain promises of money held out to witness by Mr. John Veysey to vote for Mr. Westropp, witness having persistently refused them all, *H. Osborne* 784-805——Testimony in support of the charge as to Mr. Vesey having offered money as an inducement to witness's father to vote for Mr. Westropp, *Anne Osborne* 806-828; *Emma Osborne* 829-838.

Statement in positive denial of certain portions of the evidence of Mr. Osborne and his daughters, as to witness having attempted to bribe the former; cross-examination hereon, *Veysey* 2213-2257. 2344-2394. 2597-2600.

P.

Pimm, William. Character of the assistance received by witness from Mr. William Pimm, of the "Golden Lion," *Westropp* 1706-1729.

Poles, John. Canvass of witness by Sir John Shelley and Mr. Kinglake, whom he promised to support, *John Poles* 381-383——Subsequent canvass of witness, on the polling morning, by different persons on behalf of Mr. Westropp; inducements held out to him by these to vote for Westropp, *ib.* 384-399——Details as to witness having received two packets, containing five sovereigns each, from a person of the name of Jones, at the house of Frederick Harden, after which witness plumped for Westropp, *ib.* 400 *et seq.*

Witness, who is wife of John Poles, confirms certain portions of her husband's statement as to the receipt by him of 10 *l.* for his vote at the election, *Jane Poles* 514-567——Witness, as son of the voter John Poles, corroborates the evidence of his father in regard to his bribery with the sum of 10 *l.* to vote for Mr. Westropp, *Edward Poles* 568 *et seq.*——Denial that witness ever promised any money to the voter Poles, *Stroud* 3315-3322.

Poole, William, Junior. Statement to the effect that witness voted for Mr. Westropp according to promise, and without having been bribed, *W. Poole, Jun.* 4819 *et seq.*

Poole, William, Sen. Statement as to a person of the name of William Onion having solicited witness to vote for Shelley and Kinglake, and having asked him to write on the table with a piece of chalk what he wanted for his vote, *W. Poole, Sen.* 4695-4716——Circumstance of Onions having stated since the election that he had been sent by Mr. Wilton to make promises to voters, *ib.* 4717-4725.

Cross-examination to the effect that though witness always voted for the Liberal candidates till the last election, he was not influenced by any promise or any bribery in polling for Mr. Westropp, *W. Poole, Sen.* 4726 *et seq.*

Statement as to witness having heard William Onion ask his father to write down what he wanted for his vote for Shelley and Kinglake, *W. Poole, Jun.* 4793-4810. 4820-4840.

Pugh, George. Witness denies having told John Cheriton that George Pugh was one of those who had been bribed, *Gilbert* 4608-4618.

R.

Reeves, Joseph. Witness never made any offer, nor gave any money to Joseph Reeves for his vote, *Boys* 3018, 3019.

Roberts, James. (Analysis of his Evidence.)—Statement in detail, and cross-examination thereon, in regard to witness having been promised work by Mr. Wilton, if he would vote for Shelley and Kinglake; also as to his having been eventually taken into employment by Mr. Wilton in January last, having first written to him on the subject, 3595-3630. 3675 *et seq.*——Witness had promised one vote to Mr. Westropp, and one to Mr. Kinglake, but polled for Kinglake and Shelley, 3609-3612. 3767-3772. 3814-3820.

Evidence relative to the supply of drink at the "Bath Bridge Hotel" on the nomination evening, Sir John Shelley's servant having been present, and no one having paid, 3631-3660. 3761-3766——It was reported at the "Bath Bridge Hotel," that the "stuff" would be there on the morning of the election, 3661-3674.

Rogers, James. Statement with reference to a note from Mr. Harwood to witness, relative to the vote of James Rogers, *Lilley* 2105-2111. 2131-2145——Positive denial that witness either alone or with Mr. Stroud, went to the house of James Rogers on the polling morning to canvass him, *R. Bussell* 3205-3223——Explanation of the circumstances under which witness's wife wrote a letter in his name to Mr. Lilley, stating that witness had promised James Rogers to be made right, *Harwood* 3498-3538. 3579.

Evidence, 1866—*continued.*

S.

Scrutiny. Statement by counsel for the petitioners against the return of Mr. Westropp that he did not intend to proceed with the scrutiny, with a view of obtaining the seat, *p.* 145.

Sellar, William. (Analysis of his Evidence.)— Statement as to Mr. Henry Chapman Bussell having on two occasions held out promises of money to witness if he would vote for Shelley and Kinglake, 5467-5498 —— Cross-examination upon the question of witness having admitted since the election that he was bribed on the side of Mr. Westropp, 5499 *et seq.*

Shelley, Sir John. (Analysis of his Evidence.)—Distinct and positive assurance required by witness from Mr. Benjamin Lovibond that in the event of his standing for Bridgwater, nothing should be done to implicate him with improper practices, 6257-6260——Witness positively denies all knowledge of any bribery on his behalf, 6261——The whole of his election expenses were less than 200 *l.*, 6262.

Very warm reception experienced by witness during the whole of his canvass, 6263-6265——Distinct promise by Mr. Heal, the brewer, to vote for witness and Mr. Kinglake; reference to witness's canvass-book in proof of this, 6266-6273——Statement relative to the evidence of the voter Aldridge; denial that Mr. Paul Reed ever held out any inducement or promise to him in witness's presence, 6274-6292——Reluctance evinced by many of the electors to promise their votes in the absence of a bribe, 6283, 6284. 6324-6329——Denial that Mr. Reed made any promise to the voter Temblett in witness's presence, 6293, 6294.

Very rare instances of Mr. Benjamin Lovibond having been with witness when canvassing, 6295-6299——Practice generally for Mr. Kinglake and witness to canvass together, 6300-6308——Witness does not recollect the names of those who canvassed with him, but Mr. Henry Lovibond and Mr. Paul Reed were almost always with him, 6309-6316——Circumstance of witness having been in only one committee-room, 6317-6323.

Open repudiation by witness during his canvass of anything approaching bribery, 6325-6329 —— Further evidence relative to the voter Heal, and the circumstance of his having eventually promised to vote for witness and Mr. Kinglake, 6330-6345 —— Remarks in witness's canvass-book relative to the voter Henry Cooksley, 6346-6352.

Smith, John. Explanation as to witness having been up on the nomination night, watching the house of Mr. John Smith; he was not paid for this, *R. Bussell* 3177-3192. 3261-3263——Authority received by witness to deliver up the colours of the Liberal party to Mr. John Smith, the grocer, *Wadden* 5539——Active part taken by Mr. John Smith, grocer, on behalf of Shelley and Kinglake, *Bussell* 5590; *C. H. Poole* 5662, 5663; *Veysey* 5761.

Details as to Mr. Smith having promised witness, before the election, that he might have some "sugar," meaning thereby, money, if he would support Shelley and Kinglake, *Fenner* 5674 *et seq.*——Circumstance of witness having received 10 *l.* from Mr. Smith after the election of 1859, *ib.* 5704-5709. 5712-5717. 5733, 5734——Instructions received by witness, during the election, from Mr. John Smith, in regard to the banners and flags, &c.; payment received from Mr. Smith, *Hill* 5785-5798.

Denial that Mr. John Smith, the grocer, went canvassing from house to house, *H. Lovibond* 5920-5934——With regard to any person having been employed or paid by Mr. Smith, this was without witness's cognisance or authority, *ib.* 5941-5945. 5981-5983——Witness does not remember seeing Mr. John Smith, either at the committee-room or canvassing, *Kinglake* 6492. 6496-6498.

Smith, Richard, and *Richard Bealey Smith.* Statement as to the active part taken at the election by Mr. Richard Smith, and Mr. Richard Bealey Smith, in support of Mr. Westropp, *Carslake* 961 *et seq.*——Mr. Smith, jun., was witness's professional agent, Mr. Smith, sen., having positively declined to act, *Westropp* 1606-1609 —— Support given to witness by Mr. Joseph Richard Smith, though he did not canvass with him, *ib.* 1696-1705——On one occasion only did Mr. Richard Smith canvass with witness, *ib.* 1939-1949——Further statement as to Mr. Richard Smith not having acted in any way as an agent, *ib.* 1950-1954. 1997-2001——Belief that witness will have nothing to pay for the services of Mr. Bealey Smith, *ib.* 1970-1976. 2002, 2003.

Staples, John. Statement as to witness, who is a master mariner, and part owner of a vessel, having received ten sovereigns on the polling-day from a person whom he subsequently ascertained to be Edward Stroud, *Staples* 308-332——After receiving the money witness plumped for Westropp, *ib.* 316. 327——The ten sovereigns were afterwards marked, and were given up to Mr. Wilton, *ib.* 324-326. 359-369——Witness denies having ever said, since the election, that he had received the 10 *l.* for freight, *ib.* 333-358.

Witness

Evidence, 1866—*continued.*

Staples, John—continued.

Witness was present on the occasion when the ten sovereigns were given up by the voter Staples, *Gough* 370–374——The ten sovereigns were handed, in witness's presence, to Mr. George Wilton, and are still in his possession, *Fletcher* 375–380.

Concurrence of evidence as to the voter Staples having stated that he had received, as freight, a sum of 10*l.*, stated to have been received as a bribe, *Veysey* 2336–2343; *W. Heal* 2679–2682; *Boys* 2900–2947. 3067–3069. 3081–3090; *R. Bussell* 3128–3136. 3168–3176. 3264–3266—— Statement by Staples that the 10*l.* had been forcibly taken from him, in order to be adduced as proof of bribery; discussion also upon the question of Staples taking legal proceedings for the recovery of the money, *R. Bussell* 3133–3142. 3154–3167.

Witness positively denies the statement that he had any conversation with the voter Staples on the polling morning, or that he gave Staples 10*l.* as a bribe to poll for Mr. Westropp; cross-examination hereon, *Stroud* 3273–3314. 3365 *et seq.*

Resolution of the Committee as to this case of bribery having been proved, *Rep.* iii.

Stoodley, Joseph. Statement as to witness having been induced to plump for Mr. Westropp through receiving 10*l.* at the "Golden Lion" on the polling morning, *Stoodley* 639 *et seq.*——Several voters seen by witness at the "Golden Lion" on the election day, who were having refreshments there, *ib.* 658–682. 772–777——Particulars relative to the circumstances connected with the giving of the money to witness at the "Golden Lion;" several other voters, also there, who went with witness to the poll, *ib.* 684–735.

Witness never gave any money to the voter Stoodley at the "Golden Lion" on the polling day, *Heal* 2645–2657.

Stroud, Edward. Details as to witness having received 10*l.* from Edward Stroud as a bribe to vote for Mr. Westropp, *Staples* 308–332——Attendance of Mr. Stroud, Mr. Boys, and others, at a meeting of Mr. Westropp's supporters for securing his return, *Cruess* 1450–1470——Statement as to Mr. Stroud having shown witness a book in which he said he had put down all he spent in treating, and that he hoped to get it back again some day, *Webber* 1471–1485——Frequent occasions on which Mr. Stroud was in and out of Mr. Westropp's central committee-room, *Wm. Plowman* 1486–1492; *Mary Plowman* 1493–1495.

Denial that Mr. Stroud ever assisted witness in his canvass, or was authorised by him to act in any way on his behalf, *Westropp* 1664–1668. 1840–1843——Belief that Mr. Stroud was a member of the committee of Mr. Westropp's supporters, *Lilley* 2083, 2084.

Witness positively denies the statement that he had any conversation with the voter Staples on the polling morning, or that he gave Staples 10*l.* as a bribe to poll for Mr. Westropp; cross-examination hereon, *Stroud* 3273–3314. 3365 *et seq.*——Denial also that witness ever promised any money to a voter of the name of Poles, *ib.* 3315-3322——Circumstances under which the voter Cooze said, some days after the election, that it was witness from whom he had received 10*l.* as a bribe; this was a positive falsehood, *ib.* 3323–3332. 3458–3462. 3471.

Explanatory statement with reference to the expenditure by witness during the election in treating his friends to beer, &c.; he denies having kept a book of his expenditure, *Stroud* 3333–3364. 3439–3443. 3466–3470——Witness never received any money, nor the promise of any money, from Mr. Westropp or his agent for purposes of treating, *ib.* 3346.

Sully, James Wood. Circumstance of Thomas Symes, an elector, in the employment of Mr. James Wood Sully, having said he must vote for Shelley and Kinglake, as he could not afford to lose his berth, *Bussell* 5303–5308.

T.

Temblett, Frederick Charles. Reference to the canvass of witness by Sir John Shelley and Mr. Kinglake, and to a suggestion on the occasion, by Mr. Paul Reed, that witness should have some "sugar" for his vote, meaning thereby money, *Temblett* 5628–5644.

Denial that Mr. Reed made any promise to the voter Temblett in witness's presence, *Sir J. Shelley* 6293, 6294——Witness denies ever having made the remark attributed to him by Temblett, *Reed* 6364, 6365.

Treating:

Several voters seen by witness at the "Golden Lion" on the election day, who were having refreshments there, *Stoodley* 658–682. 772–777——Orders given by Mr. Boys for

Evidence, 1866—*continued.*

TREATING—continued.

the supply of beer to voters at the "Three Crowns Inn," *Reeves* 1276–1285——Statement as to Mr. Stroud having shown witness a book, in which he said he had put down all he spent in treating, and that he hoped to get it back again some day, *Webber* 1471–1485.

Explanation as regards some of witness's supporters having dined at the "Clarence Hotel," that they paid their own expenses, *Westropp* 1990–1996——Denial that witness had anything to do with the treating of voters at the "Golden Lion" on the polling day, *W. Heal* 2623–2644——Denial that witness treated voters to any great extent; any drink which he ordered for them was paid for by himself, *Boys* 2896–2899. 3004–3017. 3070, 3071.

Explanatory statement with reference to the expenditure by witness during the election in treating his friends to beer, &c.; he denies having kept a book of his expenditure, *Stroud* 3333–3364. 3439–3443. 3466–3470——Witness never received any money, nor the promise of any money, from Mr. Westropp or his agent for purposes of treating, *ib.* 3346——Statement with reference to witness having supplied tea and coffee to several voters on the nomination night, *Barwood* 3479–3484. 3539–3550.

Evidence relative to the supply of drink at the "Bath Bridge Hotel" on the nomination evening, Sir John Shelley's servant having been present and no one having paid, *Roberts* 3631–3660. 3761–3766——Witness saw Mr. Cook give orders at the "Commercial Hotel" for refreshments, &c., *Wescott* 4991–5001. 5053–5057——Statement as to several persons having had drink at the "Commercial Hotel" on the polling day without paying for it, *ib.* 5020–5036. 5062–5065——Details in regard to the supply of refreshments at the "Commercial Hotel" on a certain day before the election; witness did not see any one pay, *Mary Wescott* 5074 *et seq.*

Examination upon the question of witness's house, the "Bath Bridge Inn," having been open till a very late hour on the nomination night and of his supplying refreshments to several persons without requiring them to pay, *Heal* 5159–5195. 5227–5241——Denial of a certain portion of the statement of John Wescott; admission as to witness having said that "surely his party were not going to throw him overboard," meaning thereby, in the matter of drink supplied by him, *ib.* 5196–5241. 5282–5285.

Instance of some wine having been offered to witness if he would go into the "Commercial Hotel," Sir John Shelley having been present at the time, *R. Bussell* 5326–5331. 5340–5343.

Denial that witness gave orders at the "Commercial Hotel" for the supply of refreshments, or that he frequently gave orders to the ostler Wescott, *Cook* 6408–6420. 6444–6447.

Resolution of the Committee that Mr. Westropp was, by his agents, guilty of treating, *Rep.* iii.

Trevor, James. Appointment of Mr. James Trevor as agent for Mr. Westropp, *Carslake* 10, 11. 979——Mr. Trevor did not take, by any means, an active part in the election, *ib.* 1004–1011.

V.

Vearncomb, Henry. Statement tending to show that a man named Henry Vearncomb was bribed to vote for Shelley and Kinglake, *Bussell* 5310–5325.

Veysey, John William. Concurrence of evidence as to Mr. Veysey having been active in canvassing and having gone about with Mr. Westropp and others, *Huxley* 1150–1180. *Webber* 1203–1208; *Reeves* 1265–1274; *Knight* 1309–1315; *Stevens* 1316–1330; *Mary Plowman* 1356–1367; 1372, 1373——Statement by Mr. Veysey that a trifle should not prevent Mr. Westropp being returned, *Reeves* 1276——Mr. Veysey was frequently in and out of Mr. Westropp's committee-rooms, *Foster* 1333–1343; *Jane Quick* 1374–1392——Further evidence as to the active part taken by Mr. Veysey on the part of Mr. Westropp, *Stokes* 1426–1441.

Denial that Mr. Veysey took any part in witness's canvass, or had any authority whatever from witness to act as an agent, *Westropp* 1628–1647——With regard to a certain circular, purporting to be signed by Mr. Veysey, witness never saw nor heard of it at all, *ib.* 1645–1647. 1837–1839——Degree of support received by witness from Mr. Veysey further adverted to; impression that he never dined with witness when at Bridgwater during the election, *ib.* 1791–1822.

Entire absence of any authority to Mr. Veysey to expend any money, or to act in any way for the committee formed on behalf of Mr. Westropp, *Lilley* 2030–2037——Except on one occasion witness did not see Mr. Veysey with Mr. Westropp when canvassing, *ib.* 2038–2042——Degree of intimacy between Mr. Veysey and witness; reference hereon to the question of their having been recently in communication, *W. Heal* 2750–2773.

Witness,

Evidence, 1866—*continued.*

Veysey, John William—continued.

Witness, who is a solicitor, applied to Mr. Smith, senior, to be engaged professionally on the part of Mr. Westropp, but was told he was not old enough nor sufficiently experienced, *Veysey* 2156-2169——On one occasion only, and then accidentally, did witness accompany Mr. Westropp in his canvass, *ib.* 2170-2191——Once, after the election, witness dined at the "Clarence" with Mr. Westropp, *ib.* 2192, 2193.

Explanation as to witness having been termed "secretary" to the committee which met in John-street; he had no authority whatever from the committee to canvass or to spend money, and never heard anything said about bribery at the committee meetings, *Veysey* 2194-2212——Statement in positive denial of certain portions of the evidence of Mr. Osborne and his daughters, as to witness having attempted to bribe the former; cross-examination hereon, *ib.* 2213-2257. 2344-2394. 2597-2600——Denial also of the statement of Frederick Jones as to witness and Mr. Harwood having held out certain inducements to him to vote for Mr. Westropp, *ib.* 2258-2304.

Statement relative to a conversation between witness and Philip Gilbert about the vote of the latter; denial that anything was said by witness, or by any one in his presence, about Gilbert being paid if he would vote for Mr. Westropp, *Vesey* 2305-2335. 2427 *et seq.*; 2618—— Circumstances under which the voter Staples told witness that he had received, as freight, a sum of 10*l.*, stated to have been received as a bribe, *ib.* 2336-2343.

Further statement as to witness not having been much with Mr. Westropp during the election, and as to his not having regularly canvassed, *Veysey* 2395-2426. 2507 *et seq.*——Belief that witness never saw Mr. Heal, the brewer, on the polling day, *ib.* 2494-2506——Denial that witness ever said to a man named Reeves that a trifle should not prevent Mr. Westropp being returned, *ib.* 2527-2534. 2601, 2602. 2605-2610 —— Statement as to Reeves having said that, if Mr. Westropp's side would give him a retainer, he would readily prove bribery against the other side, *ib.* 2602-2604.

See also *Gilbert, Philip.* *Jones, Frederick.* *Osborne, Henry.*

Void Election. Resolution of the Committee that the last election for Bridgwater, so far as regards the return of Mr. Westropp, is a void election, *Rep.* iii.

W.

Westropp, Henry (*Member of the House*). (Analysis of his Evidence.)—Defeat of witness, at the Bridgwater election of 1859, by about the same majority which he had over Mr. Kinglake at the last election, 1580-1584——Strong feeling expressed by witness's supporters in 1859 that he should come forward at the next election, 1585——Previously to the last election witness went to Bridgwater on 18th May, and had a very enthusiastic reception, 1587-1589.

Reference to a certain meeting of witness's supporters at the "Clarence Hotel," when a committee was in general terms appointed; no individual members of any committee were named, 1590-1601. 1682-1685——Witness, in fact, never had any committee, in the proper sense of the term, and never attended any committee meeting, 1602, 1603—— Mr. James Trevor was witness's agent for election purposes, 1604, 1605—— Mr. Smith, junior, was witness's professional agent, Mr. Smith, senior, having positively declined to act, 1606-1609.

Different persons by whom, at different times, witness was accompanied in his canvass, 1610-1614. 1682-1705——Witness never attended any committee meeting in St. Mary-street or St. John-street, and has never paid for any committee-rooms in those streets, 1615-1623. 1648 ——Mr. Boys never accompanied witness in his canvass, 1624-1626 —— Nor had Mr. Boys any authority whatever from witness to act for him in any way during the election, 1627.

Denial that Mr. Veysey took any part in witness's canvass, or had any authority whatever from witness to act as an agent, 1628-1647——With regard to a certain circular, purporting to be signed by Mr. Veysey, witness never saw nor heard of it at all, 1645-1647. 1837-1839——Reference to a canvass-book kept by witness, as showing that he had 325 promises, 1649-1655——The voter Cooze never promised witness his vote, nor did witness see him when he called to canvass him, 1656-1660.

Positive declaration by witness that he did not expend one shilling more than the sum returned in the accounts, 1662——Nor did he enter into any bargain or promise to pay any further sum beyond that returned as his legal expenses, 1663——Denial that Mr. Stroud ever assisted witness in his canvass, or was authorised by him to act in any way on his behalf, 1664-1668. 1840-1843——Reference to certain other supporters of witness as not having had any authority to act for him, 1669-1671——Mr. Lilley accompanied witness in his canvass, but had no instructions or authority to act for him, 1672-1676.

Witness is not aware whether Parliamentary candidates generally give specific instructions to persons to act as their agents, 1677-1681——Support given to witness by Mr. Joseph Richard Smith, though he did not canvass with him, 1694-1705—— Character of

Evidence, 1866—*continued.*

Westropp, Henry (*Member of the House*). (Analysis of his Evidence)—*continued.*

the assistance received by witness from William Pimm, of the "Golden Lion," 1706–1729——Very limited knowledge of witness in regard to the public-houses at Bridgwater, 1714–1723. 1746–1763.

Further evidence on the question of witness having had any committee-rooms and committee, or of his having been aware that there was a committee, 1764–1790. 1985–1989——Degree of support received by witness from Mr. Veysey further adverted to; impression that he never dined with witness when at Bridgwater during the election, 1791–1822——Frequent instances of Mr. Lilley having accompanied witness in his canvass, 1826–1836——Doubt as to the person or persons by whom witness was accompanied when he canvassed Mr. Heal, the brewer, 1844–1857.

Examination with reference to Mr. Edwards having come forward as a candidate in conjunction with witness, and having suddenly retired, 1858–1890——Witness is not cognizant of any meeting of his supporters after the nomination, nor of any discussion upon the question whether he should proceed with the election, 1891–1928——Several legal gentlemen who canvassed with witness; there was no payment made to them, 1929. 1955–1969.

On one occasion only did Mr. Richard Smith canvass with witness, 1930–1949——Further statement as to Mr. Richard Smith not having acted in any way as an agent, 1950–1954. 1997–2001——Belief that witness will have nothing to pay for the services of Mr. Bealey Smith, 1970–1976. 2002, 2003——Preparation of a canvass-book by witness, and results shown by it, further adverted to, 1977–1984——Explanation, as regards some of witness's supporters having dined at the "Clarence Hotel," that they paid their own expenses, 1990–1996.

Westropp, Mr. Resolution of the Committee that Mr. Westropp is not duly elected, *Rep.* iii——Also that Mr. Westropp was, by his agents, guilty of bribery and treating, *ib.*——Also that it was not proved that such bribery and treating were committed with the knowledge and consent of Mr. Westropp, *ib.*

Wilton, Mr. Statement, in detail, and cross-examination thereon, in regard to witness having been promised work by Mr. Wilton if he would vote for Shelley and Kinglake; also as to his having been eventually taken into employment by Mr. Wilton, in January last, having first written to him on the subject, *Roberts* 3595–3630. 3675 *et seq.*——Statement that George Berry, a foreman in Mr. Wilton's establishment, told witness, before the election, that he might have his (Berry's) situation if he would vote for Shelley and Kinglake, *Hooper* 4673–4694——Circumstance of William Onion having stated, since the election, that he had been sent by Mr. Wilton to make promises to voters, *W. Poole* 4717–4725.

Witness frequently saw Mr. Wilton calling at electors' houses, *R. Bussell* 5611–5620——Reference to the canvass of witness's father by the Liberal candidates, Mr. Wilton having accompanied them to the house, and having stayed some time after they had left, *C. H. Poole* 5659–5668——On one occasion only did witness see Mr. Wilton join the canvassing party, *H. Lovibond* 5974. 5976, 5977.

CHELTENHAM ELECTION.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

CHELTENHAM ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
7 *June* 1866.

Thursday, 26*th April* 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Cheltenham.

The Honourable John Lowry Cole.
Robert Wygram Crawford, Esq.
Viscount Holmesdale.
Sir Colman Michael O'Loghlen.

ACTON SMEE AYRTON, Esq., Chairman.

Friday, 27*th April* 1866.

Ordered, THAT the said Petition be referred to the Committee.

Ordered, That the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Twelve of the clock.

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REPORT.

CHELTENHAM ELECTION COMMITTEE.

Monday, 7th May 1866.

THE HOUSE informed, that the Committee had determined,—

That Charles Schreiber, Esq., is duly elected a Burgess to serve in this present Parliament for the Borough of Cheltenham.

The House further informed, that the Committee had agreed to the following Resolutions:—

That it appeared from the evidence of Edward Foxwell Barnfield, a voter for the Borough of Cheltenham, that, to serve his own purposes, he conspired with George Powell, another voter, to induce several voters, by corrupt means, to vote against the Honourable Francis William Fitzhardinge Berkeley, the other Candidate for the Borough; but that it was not proved that the sitting Member or his Agents had any knowledge of such conspiracy:

That in the opinion of the Committee corrupt practices have not extensively prevailed at the last Election for the Borough of Cheltenham.

PROCEEDINGS OF THE COMMITTEE.

Saturday, 28th April 1866.

NAMES of the Members called over;—all present.

The parties were informed by the Chairman that the Committee had agreed to the following Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party, under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. That the Committee expect that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member, or his agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered so to do.

4. The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. That no person shall be examined as a witness who shall have been in the room during any of the proceedings (with the exception of the agents, whose names shall be handed in), without the special leave of the Committee.

9. That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. That the Committee will follow the practice of the courts of law with regard to speeches, as laid down in Section 18 of "The Common Law Procedure Act, 1854."

12. That if the leading Counsel are not prepared to sum up the case on either side, when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

13. That with respect to objected votes, the Committee expect Counsel to exhaust one class of objections before proceeding to another.

The Petition of *Henry Dean* and *John William Austin*, complaining of the undue election and return of *Charles Schreiber*, Esq., was read.

Counsel:—Mr. *Powell*, Q. C., Mr. *Fitzjames Stephens*, and Mr. *Fallon*.

Agents:—Messrs. *T. Smith & De Gex*, Mr. *Reginald Ward*, Messrs. *Wm. & E. S. Gaisford*, Mr. *Wm. Boodle*, Mr. *Henry Dean*.

Counsel for the Sitting Member:—Mr. *Price*, Q. C., Mr. *W. H. Cooke*, Q. C., and Mr. *Lopes*.

Agents:—Messrs. *Baxter, Rose, Norton, & Co.*, Mr. *F. Stroud*, and Mr. *Gwinnett*.

Mr.

Mr. *Powell* opened the case on the part of the Petitioners.

The short-hand writer was sworn by the Chairman.

James Zwinger, sworn; examined by Mr. *Fallon*; put in 11 poll-books relative to the last election, and produced the writ and return.

John Penrice Bell, sworn; examined by Mr. *Fallon*.

Edward Henry Hale, sworn; examined by Mr. *Stephens*.

John Lea, sen., sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Powell*; examined by the Committee.

John Lea, jun., sworn; examined by Mr. *Powell*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Powell*.

[Adjourned to Monday, at Eleven.

Monday, 30*th April* 1866.

NAMES of the Members called over;—all present.

Charles Ballinger, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*; re-examined by Mr. *Powell*.

Charles Marshall, sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Powell*.

Elijah Sherman, sworn; examined by Mr. *Fallon*; cross-examined by Mr. *Price*; examined by the Committee.

Charles O'Brien, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*; re-examined by Mr. *Powell*.

William Baird, sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Price*; re-examined by Mr. *Stephens*.

Charles Stamp, sworn; examined by Mr. *Powell*; examined by the Committee.

Harriett Wood, sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Price*; re-examined by Mr. *Powell*.

William Ruck, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*.

Charles Wood, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*; re-examined by Mr. *Powell*.

[Adjourned to To-morrow, at Eleven.

Tuesday, 1*st May* 1866.

NAMES of the Members called over;—all present.

William Crew, sworn; examined by Mr. *Powell*.

William Skinner, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*; re-examined by Mr. *Powell*; examined by the Committee.

Mary Ann Foster, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*; re-examined by Mr. *Powell*.

Maria Gibbons, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Powell*.

Emily Gibbons, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Powell*.

Eliza Biddle, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*.

James Biddle, sworn; examined by Mr. *Fallon*; cross-examined by Mr. *Price*.

George Compton, sworn; examined by Mr. *Powell*.

Frederick Digby, sworn; examined by Mr. *Powell*.

Mr. *Price* objected to this case being further proceeded with, as it was a case of undue influence, in which it was necessary that agency should first be proved.

Mr. *Powell* was heard in answer to the objection.

Room cleared. —The Committee deliberated, and resolved that the case was one of undue influence, and could not therefore be proceeded with till after proof of agency.

Parties called in, and informed thereof.

Mr. *Price* stated that he would cross-examine the witness now, for the convenience of the Committee.

Frederick Digby, cross-examined by Mr. *Price*; re-examined by Mr. *Powell*.

Henry James Moore, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*.

William John Allen, sworn; examined by Mr. *Fallon*; cross-examined by Mr. *Price*; re-examined by Mr. *Powell*.

William Simons, sworn; examined by Mr. *Powell*.

Mr. *Price* objected that *Thomas Jones*, to whose case this evidence referred, was not sufficiently clearly specified, there being three others of his name on the register.

The Committee decided that the case should be postponed till to-morrow, to enable accurate information to be obtained about him.

The witness accordingly withdrew.

Enoch Brinsdon, sworn; examined by Mr. *Powell*; cross examined by Mr. *Price*.

Charles Sutton, sworn; examined by Mr. *Powell*.

John Knowles, sworn; examined by Mr. *Powell*.

William Hands, sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Price*.

[Adjourned to To-morrow, at Eleven.

Saturday, 2*d May* 1866.

NAMES of the Members called over;—all present.

Amelia Hands, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*.

Solomon Gillett, sworn; examined by Mr. *Stephens*.

Martin Foyle, sworn; examined by Mr. *Fallon*.

William Simons, sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Price*.

George Seys, sworn; examined by Mr. *Powell*.

William Preston, sworn; examined by Mr. *Stephens*.

John Lowe, sworn; examined by Mr. *Stephens*.

Henry Isher, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*.

Edwin Webb, sworn; examined by Mr. *Powell*; cross-examined by Mr. *Price*.

Joseph Pike, sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Price*.

Robert Nutt, sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Price*.

Charles Hobbs, sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Price*; re-examined by Mr. *Powell*.

Henry Clarke, sworn; examined by Mr. *Stephens*.

Stephen Cooke, sworn; examined by Mr. *Powell*.

Amelia Goddard, sworn; examined by Mr. *Powell*.

William Harris, sworn; examined by Mr. *Fallon*.

James Bolding, sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Cooke*.

Amelia Goddard, previously sworn; further examined by Mr. *Powell*.

[Adjourned to To-morrow, at Eleven.

Thursday, 3d May 1866.

NAMES of the Members called over;—all present.

Margaret Barnes, sworn; examined by Mr. *Stephens*; cross-examined by Mr. *Price*; re-examined by Mr. *Stephens.*

Alice Thornett, sworn; examined by Mr. *Fallon*; cross-examined by Mr. *Price*; re-examined by Mr. *Fallon.*

Mr. *Stephens* stated that this closed the case for the Petitioners.

Mr. *Price,* on behalf of the Sitting Member, stated that he would call his evidence before addressing the Committee.

Mr. *Charles Schreiber,* the Sitting Member for Cheltenham, sworn; examined by Mr. *Price*; cross-examined by Mr. *Powell*; re-examined by Mr. *Price.*

Captain *Brymer Francis Schreiber,* sworn; examined by Mr. *Price*; cross-examined by Mr. *Powell.*

Mr. *James T. Agg Gardner,* sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Powell.*

Mr. *Thomas Fortescue,* sworn; examined by Mr. *Price*; cross-examined by Mr. *Powell*; re-examined by Mr. *Price.*

John Henry Morgan, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Powell*; re-examined by Mr. *Cooke.*

Thomas Saville, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Stephens.*

Edward Foxwell Barnfield, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Powell*; re-examined by Mr. *Cooke.*

William Henry Gwinnett, sworn; examined by Mr. *Price*; cross-examined by Mr. *Stephens*; re-examined by Mr. *Price.*

Robert Mallory, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Stephens*; re-examined by Mr. *Cooke.*

Frederick Stroud, sworn; examined by Mr. *Cooke*; cross-examined by Mr. *Powell.*

George Powell was called, but did not appear.

Mr. *Powell* requested that the Committee would order his attendance to-morrow.

It was proved that he had been served with the Speaker's Warrant, and a notice to attend by,

Henry Dean, sworn; examined.

John White, sworn; examined.

Ordered, To report the circumstances to the House.

[Adjourned to To-morrow, at Eleven.

Friday, 4th May 1866.

NAMES of Members called over;—all present.

Frederick Stroud, further cross-examined by Mr. *Powell*; re-examined by Mr. *Price*; examined by the Committee.

George Powell, sworn; examined by the Committee.

George Shepherd, sworn; examined by Mr. *Price*; cross-examined by Mr. *Powell.*

Mr. *Price* was heard to sum up the evidence on behalf of the Sitting Member.

Mr. *Powell* replied, on behalf of the Petitioners, upon the whole case.

By the desire of the Committee,

William Byrne, was called, sworn; examined by the Committee.

George Powell, previously sworn; examined by the Committee.

Room cleared.—The Committee deliberated.

Resolved,—That Charles Schreiber, Esq., is duly elected a Burgess to serve in this present Parliament for the Borough of Cheltenham.

Resolved, That it appeared from the evidence of Edward Foxwell Bamfield, a voter for the Borough of Cheltenham, that, to serve his own purposes, he conspired with George Powell, another voter, to induce several voters, by corrupt means, to vote against the Honourable Francis William Fitzhardinge Berkeley, the other candidate for the Borough; but that it was not proved that the Sitting Member or his agents had any knowledge of such conspiracy.

Resolved, That, in the opinion of the Committee, corrupt practices have not extensively prevailed at the last election for the Borough of Cheltenham.

Ordered, To report the foregoing Resolutions to the House.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Saturday, 28th April 1866.

MEMBERS PRESENT:

The Hon. John Lowry Cole.
Robert Wygram Crawford, Esq.
Viscount Holmesdale.
Sir Colman Michael O'Loghlen.

ACTON SMEE AYRTON, Esq., in the Chair.

Mr. James Zwinger was called in; and, having been sworn, was Examined by Mr *Fallon*, as follows:

Mr. *J. Zwinger.*
28 April 1866.

1. Are you a Clerk in the Crown Office?—Yes.
2. Do you produce the writ and return of Mr. Schreiber?—Yes.
3. Will you give the dates?—July 13th, it was returned to the Crown Office.
4. Have you got the poll books?—Yes.
5. Are they in the same condition that you received them?—Yes. (*The Witness handed in the same.*)
6. Will you open the poll books and give the returns and numbers?—I do not know whether the total is added up.
7. Just look, will you?—There is a total in each book; it is very seldom that there is a total in the poll books.

Chairman.] It does not matter; perhaps the parties will agree as to the numbers.

Mr. *Lopez.*] Mr. Schreiber, 1,157; and Mr. Berkeley, 1,129.

Mr. *Powell.*] We assent to that statement.

Mr. John Penrice Bell was called in; and, having been sworn, was Examined by Mr. *Fallon*, as follows:

Mr. *J. P. Bell.*

8. Are you a Solicitor living in Cheltenham?—I am.
9. Were you the returning officer at the last election on the 12th July 1865?—I was.
10. Do you produce the register, which was then in force in the borough?—I do.
11. Who were the candidates?—Colonel Berkeley and Mr. Schreiber.
12. On what day did the nomination take place?—On the 11th.
13. And the show of hands?—Was in favour of Colonel Berkeley.
14. And then a poll was demanded?—Yes.
15. Do you produce the appointment you received from Mr. Schreiber, as to the agents for election expenses?—I do.
16. Who were appointed?—William Henry Gwinnett of Cheltenham, and Rowland James Ticehurst.
17. What is the date?—This is dated the 10th of July 1865.
18. Did you cause that notice to be published?—Yes.
19. In the papers?—I did.
20. Do you produce the accounts that you received from the agent for the election expenses? Yes; signed by Mr. Ticehurst alone.
21. Did you cause an abstract of those expenses to be published in the Cheltenham newspapers?—Yes.
22. Are Gwinnett and Ticehurst partners in business?—Yes, as solicitors.

Cross-examined by Mr. *Lopez.*

23. Have you got any other accounts?—Yes.
24. Will you hand them in?—Yes; these are the vouchers for Mr. Schreiber's expenses, handed in to me on the 12th September 1865.

[*The Witness delivered in the same, which was as follows*:—]

Mr. *J. P. Bell.*

28 April 1866.

CHELTENHAM ELECTION, 1866.

A DETAILED STATEMENT, pursuant to the requirements of the 26th Victoria, chapter 29, section 4, of all Election Expenses incurred by or on behalf of *Charles Schreiber*, Esquire, a Candidate at this Election.

	£.	s.	d.
The Returning Officer:			
42 copies of the register of votes	5	5	–
Share of hustings and booth expenses, special constables, &c.	134	10	6
His fee as returning officer	21	–	–
Principal and District Canvassing:			
Agents, 14 in number, employed for various periods between the 15th June and the 12th July inclusive	694	17	–
Assistant Canvassers employed for various periods between the 15th June and the 12th July inclusive:			
East Ward - 5 in number	23	14	–
North Ward - 7 „	29	13	6
West Ward - 1 „	1	1	–
Middle Ward - 2 „	2	15	–
South Ward - 2 „	11	10	–
Inspectors at booths, 11 in number	23	2	–
Check clerks, 11 in number	11	11	–
Committee-room and Writing Clerks employed for various periods between the 19th June and the 12th July, both inclusive:			
Central committee-room 15 in number	112	–	6
East Ward - 1 „	–	15	–
North Ward - 4 „	4	11	–
West Ward - 2 „	1	–	–
Middle Ward - 2 „	4	15	–
South Ward - 3 „	3	–	–
Men in charge of Flies and Carriages on the Polling-day:			
East Ward - 11 in number	9	12	6
North Ward - 16 „	12	–	–
West Ward - 11 „	4	12	–
Middle Ward - 8 „	3	–	–
South Ward - 10 „	3	6	–
Messengers employed for various periods between the 19th June and the 12th July:			
Central committee-room 21 in number	53	10	–
East Ward - 29 „	16	2	6
North Ward - 20 „	8	18	–
West Ward - 19 „	10	2	6
Middle Ward - 16 „	10	4	–
South Ward - 19 „	11	3	–
Night and Day Watchers and Protectors of Canvassing Parties:			
60 men employed for various periods between 26th June and the 12th July inclusive	121	9	6
Conveyance of Voters:			
Railway tickets	94	15	
Flies and carriages on the polling day and with canvassing parties	112	18	–
Printing, Advertising, and Stationery:			
Printers, advertisers, and stationers' bills, 14 in number	244	15	6
Expenses of circulars, canvassing letters, including postages	46	2	6
Bill poster and assistants	19	17	6
Preparing canvass books	12	12	–
Hire of central and ward committee rooms and furniture rooms for public meetings, platforms, benches, &c., and expenses of meetings	75	13	3
Postages, porterage, parcels, telegrams, &c. &c.	14	4	11
	£1,969	19	11

Rowld. Ticehurst,
Agent for Election Expenses.

Mr EDWARD HENRY HALE was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:

Mr. *E. H. Hale.*

25. ARE you the Editor of the "Cheltenham Times and Musical Record"?—The proprietor and publisher.

26. Did you publish those two numbers of the 24th June and 1st July?—Yes, I did.

27. Just look at an advertisement that appears in those two numbers with regard to the Cheltenham election; you see the advertisement?—Yes.

28. From whom did you receive orders for the publication of those advertisements?—As to the first, on the 24th of June I received an order in writing from Mr. Gwinnett.

Cross-examined by Mr. *Lopez.*

29. Where is the list that accompanied the first letter?—They were both together.

30. "Dear Sir,—Be good enough to arrange for the insertion of the enclosed list (with additions) in your paper of Saturday?"—That is the list that came with the first letter; there was no addition to the first letter; the second letter contains sundry additions.

31. I see that the heading is struck out on the second occasion?—This is the first letter I received; this crossed through is that what you are alluding to.

32. Yes?—It was done in my office by my printer; there is an observation by the side of these names, "Run on names in lower case;" it was the order given to the compositor to set them up running on, and this heading instead of being re-set was struck out.

33. Was the advertisement printed as it now appears in the number?—Yes, I had no other heading.

34. I will just read the heading, "Cheltenham Election;" and the letter is dated, "Mr. Schreiber's Committee room, 2, Liverpool-place, 22d June 1865"; you printed the papers in consequence of that order?—Yes.

35. Did you receive any further orders with respect to the advertisement in the paper of the 1st July?—Yes.

36. Have you got them?—That came to me through a canvasser of mine, a person who is in my employ as a canvasser for advertisements.

37. From whom did you receive the second list?—I received it through a canvasser of mine, a person in my employ, who solicited the order from Mr. Gwinnett, I suppose.

38. What did you do with the list when you got it?—I acted upon the instructions I received.

39. Did you print it?—I printed the heading according to the instructions I received.

40. Just hand it in to the Chairman?—Yes.

JOHN LEA was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:

John Lea.

41. ARE you a Tailor, living at No. 12, Bath-terrace, Cheltenham?—Yes.

42. You are not a voter yourself?—No.

43. Do you know a man of the name of George Powell?—I do.

44. What was his business at the time of the election?—A commercial traveller.

45. Did you owe him anything at the time of the election?—I did at the time of the election, and for three years before.

46. How

46. How much did you owe him?—£.80.

47. I suppose that is the firm for which he travelled?—Yes.

48. By the *Committee.*] What is the name of the firm?—Stopp & Co.

49. Mr. *Fitzjames Stephen.*] It is the firm of Stopp & Co. in Yorkshire; do you recollect the evening before the election?—Yes.

50. Did you see George Powell on that evening, the 11th of July?—Yes.

51. Where?—In Winchcomb-street.

52. When you saw him in Winchcomb-street, what did he say to you?—He asked me what colour I was, whether blue or yellow.

53. What did you say to him?—I told him I belonged to the Conservative Club, and he asked me if I could get a vote or two for him, and to do all that I could.

54. What more did he say about your getting votes; tell us all that he said?—If I could get one or two I was to meet him at the "Cooper's Arms" at eight o'clock.

55. Was anything more said?—There was no more said than that I was to meet him at eight o'clock if I could bring anyone.

56. Was anything said how you were to get the votes, or what was to happen if you got them?—He would make them satisfied; I knew what the agreement was.

57. What was the agreement?—When I took this man, Sims, there was no more passed till I took Sims there.

58. Consider whether you have told us all that passed at that time when you met him in Winchcomb-street?—That was all that was said then.

59. What did you say to him, and what did he say to you?—There was no more said till Sims was there.

60. I want it over again; what was said?—I have told it plain enough for anyone to understand it.

61. Say it over again?—I don't see any call for it.

62. You said you were to meet him at half-past eight?—From eight to half-past.

63. Did you meet him?—Yes.

64. When you met him was anyone with you?—Sims was, of course.

65. Tell us what passed with Sims?—I told him to go and make their own appointment what they were going to give, not for me to have anything to do with it; for them to have an understanding between themselves.

66. An understanding about what?—What money he was to receive for his vote.

67. What happened then after you said that to Sims?—They both went together.

68. Where?—Out in the back.

69. Who?—Sims and Powell.

70. Did you hear anything that was said between them while they were out at the back?—I did.

71. What did you hear said?—I heard the agreement made that he was to have 4*l.*

72. Who said that?—Powell.

73. Who spoke first, Sims or Powell?—Powell, of course.

74. What did Powell say to Sims?—I have told you what he said.

75. Just tell us again what Powell said?—He said that he should have 4*l.*

76. And what did Sims say to that?—He was agreed to it.

77. What was he to have the 4*l.* for?—For his vote.

78. Who was he to vote for?—Schreiber.

79. Did you know Mr. Sherman, the tailor?—Very well.

80. Did he come in while this was going on?—He did.

81. Did anything pass between him and Powell?—There was some words passed between them.

82. What was that?—He told Powell that he was not much a man of his word.

83. And what did Powell say?—Powell was rather ashamed of the action.

84. Do you know Mr. Bubb, the hairdresser? Yes.

85. He is Powell's father-in-law?—Yes.

86. Was he there?—He was outside the room.

87. Did he say anything to Powell?—He told him he was a blackguard.

88. Did he say anything to you?—He said he thought I had more sense than to have anything to do with him.

89. What became of Sims?—Why, Sims went for him.

90. What became of Powell?—He went in a fly, and I went in my pony-and-trap to meet him on another road.

91. Did you meet him after that?—I did.

92. Where?—In Townsend-street.

93. What is the name of the house?—The "Dove and Rainbow."

94. At what time?—Between nine and ten; a little after nine, just as it was dark.

95. What passed between you at the "Dove and Rainbow"?—He was rather upset; and then we moved again, disturbed like.

96. How did he shew he was disturbed; what did he say?—Because people were looking after him, his business like, and he did not like for them to understand between him and me.

97. What was said between you and him at the "Dove and Rainbow"?—Only the appointment, what time I was to meet him in the morning, and to bring another party or two if I could.

98. Where were you to meet in the morning?—At Mr. Alder's, in Whichcomb-street.

99. You said "Bring another or two,"—what?—A voter or two, if I could get them.

100. Did you meet him at Alder's?—Yes; but I met him before that.

101. Where?—In the Bath-road, near the College.

102. What passed between you and him there?—I told him I had got another for him.

103. And after that, where did you go; was anybody with you?—My son.

104. Anybody else?—There was only we two at that present.

105. You told him you had got another or two; what did you do then, what time was that when you met him?—About nine in the morning.

106. Had you been at his house before that?—I had.

107. About what time?—About four in the morning.

108. Did you see him then?—Yes.

109. Who was with you?—There were several with me.

110. Tell us their names?—One was a brother-in-law and a nephew of mine.

111. What was his name?—Harding, a tailor; he was a brother-in-law of mine, and his son.

112. Anyone

John Lea.

28 April 1866.

112. Anyone else?—Yes; there was the man along with me who was driving my pony.

113. What was the name of the man who drove your pony?—Marshall.

114. Is he sometimes called Whittaker?—Yes.

115. When you were there at half-past four in the morning, what passed between you and Powell?—I told him I should be able to get another vote or two for him.

116. Anything more?—Nothing more, than that he fetched us a cup of cider, and we had the cider there.

117. Where did you meet next, after half-past four?—In the Bath-road, near the College.

118. Between your seeing him the first time and the second time, had you seen a man named Ballinger?—Yes; I saw Ballinger between the times.

119. When you went the second time, was Ballinger with you about nine o'clock?—That is where I met Mr. Powell and another gentleman with him.

120. Where was Ballinger then?—Ballinger was at home and waiting for me.

121. The second time you met Powell at nine o'clock, what passed between you?—What I told you; I told him I had got another vote for him.

122. What did you do after you had seen him?—He said he should not be above a quarter of an hour before he was down at Alder's, and I was not to lose sight of him.

123. What did you do after seeing Powell then?—I understood things from between them, so far, and I went to Ballinger then.

124. What happened when you saw Ballinger?—Ballinger said he should not go unless he had 5 *l.*

125. What did you say to that?—I said he had better come along with me and see the parties.

126. How did it end, what became of you and Ballinger?—He was at Alder's in Whichcomb-street.

127. You had gone to Ballinger's house first?—Yes.

128. Did Ballinger and you go to Alder's; is that what you mean?—We went.

129. Who did you see at Alder's, in Whichcomb-street?—We saw Mr. Powell first, and then we waited till Mr. Burn came.

130. Did Mr. Burn come?—Yes, we waited till the two came.

131. When they came, what happened?—The agreement was for him to have 5 *l.*

132. Who?—Ballinger.

133. Who agreed that he was to have 5 *l.*?—Mr. Burn said he would see that it should be all right; it should be left in my hands, so that he should have the money.

134. Did Powell say anything?—Powell and him was agreed between them; that was understood between them.

135. Did either Powell or Burn give you any directions, or tell you what to do?—Powell went out of the town, but then I saw Mr. Burn.

136. Did you hear anything said between Ballinger and Powell at all at Alder's?—Yes.

137. Tell us what?—The agreement was that Ballinger was to have 5 *l.*; that was what was consented on.

138. At Alder's?—Yes.

139. By the *Committee.*] Did Powell say Ballinger was to have 5 *l.*?—Yes.

140. Mr. *Fitzjames Stephen.*] What did Burn say?—Burn was not in at that time.

141. What time was it that Burn came in?—When I saw Burn and Powell together it wanted about a quarter to two.

142. That was afterwards?—Afterwards.

143. When you saw Powell and Burn and Ballinger all together, what was said between them when they were all together?—I was the only witness; at the last close I was the only person that was outside with them, when it was understood that he was to have 5 *l.*; still I was to make a bet with him.

144. Who said you were to make a bet with him?—Burn.

145. What bet were you to make?—I was to make a bet from 4 *l.* or 5 *l.* to 1 *l.* that he did not vote for Mr. Schreiber.

146. Did you make the bet?—It was pretended to be a bet.

147. What was the bet you made?—I bet him 5 *l.* to 1 *l.* that he did not vote for Mr. Schreiber.

148. Had he at that time voted?—No.

149. Did you see Ballinger vote?—I did not.

150. Did you see him again later in the day?—I saw him after he had voted.

151. How did you know he had voted?—I went by the decision of another person who came in there.

152. Who was that?—He was the crier of the place.

153. What was his name?—I forget his name.

154. Is that a man named Justin?—No, I think not; I heard him say he had voted, and that it was all right; he was the bellman or crier; Preston, that was his name.

155. What did he tell of Ballinger?—He told me that he had seen Ballinger vote, and that it was all right.

156. Had you seen Sims that morning?—Yes.

157. When did you first see Sims on that morning, the 12th?—I should judge between 10 and 11 o'clock.

158. Where did you see him?—We were at the "Beehive" together.

159. What passed between you and Sims?—We were to meet at Mr. Alder's; he went one road, and I went another.

160. Did Sims vote?—Yes; I was with him when he did vote.

161. Who did he vote for?—Mr. Schreiber.

162. Was there any conversation between Sims and Powell, or Sims and Burn?—We all had been together.

163. Was Sims by when Ballinger and Burn and Powell were talking?—They were together.

164. Was anything said to Sims at that time about his vote when they were all together?—I told him that I believed I could take his word, and agreed upon it that I would go with him.

165. After Sims had voted, what became of him?—We went back to Whichcomb-street again.

166. Did you see Powell or Burn again when you got back?—No, I did not.

167. Did you see any more of him that day?—No, I do not know that I did.

168. The next day, Thursday, the day after the election, did you go with Ballinger to Burn?—Yes.

169. What passed when you got to Burn?—Ballinger wanted the money.

170. And

170. And what did Burn say to that?—Burn told him that we were to call together to-morrow.

171. What did you do?—Went again on the morrow.

172. When you went next day what passed between Ballinger and Burn?—He said that we were to come on the Saturday morning and it would be all right.

173. What did Ballinger say to that?—He consented to it.

174. On the Saturday did Burn say anything more about what was to be done?—He said that he would see that it should be all right.

175. Did he say how it was to be all right?—Before we went on Saturday morning he sent a man up to my house.

176. What man did you see that morning at your house?—He was a stranger to me.

177. Did you find out his name afterwards?—He told me his name, and what he came for.

178. What was his name?—Palmer.

179. After that did you see Palmer on the Saturday morning at your house?—I did.

180. Do you know a man named Palmer?—Yes, I know now; I did not know him then, nor what his business was.

181. When Palmer came to you in the morning where did you go?—He shook hands with me, and said he wanted to have some private conversation with me.

182. What happened then?—He told me that he was come to settle some little matters with me on election work.

183. Where did this conversation take place?—In the Bath-road, out of Bath-terrace.

184. Did you go into another room, or stay in the same?—He asked me if I would make a bill out, and I said I was not sufficient scholar to make a bill out, and he asked me if I knew any person who could be trusted to do so, and we did go into the public-house, the "Five Halls," in the Bath-road.

185. When you got there, what happened?—I told him I thought Mr. White, of the "Five Halls," would make the bill out.

186. Tell us what happened about the bill?—White was busy, and we turned back to our house.

187. When you turned back to your house, what happened?—He wanted a private room, and we went upstairs.

188. What room did you go into upstairs?—A bedroom.

189. When you got into the bedroom what happened?—He wanted to know all the particulars of what I had done, and what it was.

190. What happened?—He sat down to begin to make the bill out.

191. Who began to make the bill out?—Palmer.

192. What did he make it out upon?—Part of my shop board.

193. What was he writing upon; where did he get the paper?—We found some paper.

194. Who brought it?—I would not say whether it was my wife or daughter, it was one of them.

195. He made out the bill, how did he make it out?——

196. Mr. *Cooke.*] Where is the bill?——

197. Mr. *Fitzjames Stephen.*] What became of the bill?—Why, Palmer took it.

198. Tell us what was put in the bill?

Mr. *Cooke* objected to the question, stating that they had nothing to do with Palmer.

Mr. *Powell* stated that his learned friend had notice to produce the bill.

199. Mr. *Fitzjames Stephen.*] Tell us what you said to Palmer?—He said he was going to have everything put down.

200. What did you tell him, what did you say to Palmer?—He put down in the first place 4 *l.* to Sims and Ballinger.

201. What did you tell him to put down?—£. 4 for Sims, and 4 *l.* for Ballinger.

202. Was anything said about a cart?—Yes.

203. What was said about the cart?—Before the cart was put down, there was 5 *l.* put down for me.

204. Did you afterwards see Ballinger?—I did.

205. Where did you see him?—I saw him down Clarence-street, looking for me.

206. What did you say to him?—I told him I had seen Palmer, and that all things were right, or would be.

207. What did Ballinger say?—He seemed to make out that this Palmer was not a very good character, and wanted looking after.

208. Did you tell Mr. Ballinger about the 4 *l.*?—Yes; he was not satisfied with it.

209. What did he want?—He wanted 5 *l.*, and said he would not have anything less.

210. After that did you see Palmer again?—Yes.

211. Did you tell him what had passed with Ballinger?—Ballinger and I went to his house.

212. Where did you and Ballinger go, when Ballinger said this about the 5 *l.*?—We went to the "Rose and Crown."

213. Did you see Palmer there?—When Ballinger saw that I had 4 *l.* put down for him, he said that he would not accept it, and I had made a mistake.

214. Where did he say that?—At the "Rose and Crown."

215. What did Palmer say when Ballinger asked for 5 *l.*?—He said it must be made right.

216. Was anything more said after that?—Palmer and I went out together.

217. Where did you go to?—Into the promenade.

218. Where did you go to then?—He went into Mr. Cockrell's.

219. Who is Mr. Cockrell; what is he?—He is in the saddle and harness line.

220. Did both of you go into Cockrell's, or only one?—Only one; I stayed outside.

221. Did you see anybody come out with him?—I did.

222. Who was that; what was his name?—I forget the gentleman's name for a moment.

223. Was he a man called Parsonage?—A young man, called Young Parsonage.

224. What did Parsonage say to you?—He said Palmer would be out directly, and that it would be all right.

225. Did Palmer soon afterwards come out?—Yes.

226. When he came out had he anything with him?—He had the money.

227. What money had he?—I had 16 *l.* 10 *s.* from him.

228. Did you see whether he had anything before

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before he went into Cockrell's?—Well, he told me he had no money.

229. Where did you go when he came out with the money?—To the "Rose and Crown."

230. And what was done when you got to the "Rose and Crown"?—What was done was this: he gave me the money, and Ballinger was there to receive it.

231. What money did he give you?—£.16 10*s.*; there was 4*l.* for Simms, 5*l.* for Ballinger, 5*l.* for me, and 1*l.* for a coat.

232. What was the 1*l.* for the coat for?—It was for a coat which I lent to the man who drove the pony, which got ripped to pieces, and 10*s.* I charged for Marshall.

233. What happened about the cart?—I told you.

234. Why did you charge 1*l.* for the cart?—Because the shafts were broke all to pieces and injured.

235. What did you do with the money you got for Sims; you said you got 4*l.* for Sims?—I gave Sims 3*l.*

236. And the 5*l.* for Ballinger?—Ballinger was there and received his 5*l.*

237. Was any more money paid; did Ballinger receive any more?—I believe he charged for his time afterwards, but that was not in my presence.

238. Did you hear anything afterwards said about his time?—I heard it talked about.

239. Did you hear him say anything about it?—Not after a day or two; I am not positive whether he had or not, but I never asked him.

240. Did you go up to Cockrell's on the Friday afterwards or Saturday at the end of the election week?—Yes.

241. Who did you go with?—I think, to the best of my recollection, Palmer and I went in together.

242. After you had done your business at Cockrell's, where did you and Palmer go?—To the "Rose and Crown."

243. What did Palmer say when you got to the "Rose and Crown"?—He settled all things; we had a glass of something together, and we parted.

244. Do you remember having a conversation with Sims about a month after the election, about his having been in Scotland?—I had different conversations with him at different times.

245. Did he say anything about having been in Scotland?—I heard he was in Scotland.

246. What did he say about coming away from Scotland?—He did not say anything; he said he was going out and should not be home under about three weeks, something like that.

247. I am asking you as to the conversation about Scotland, after the election; what was said about coming back from Scotland?—I do not know that there was anything said in particular.

Cross-examined by Mr. *Cooke.*

248. You have resided some time in Cheltenham, have you not?—I have for nine-and-thirty years.

249. Were you renting a house at the time of the last election?—Yes.

249.* What rent?—£10.

250. You were a 10*l.* householder, and had been so for some time?—Yes.

251. But you were not upon the register?—I was not.

252. Because you had not paid your rates, I suppose?—That is it.

253. You have been in poor circumstances for some time, have you not?—I have been.

254. Where did you come from to London; where did you start from to come up here?—We came here.

255. Yes; but when did you begin your journey to start for London—yesterday?—Yes.

256. Where did you start from in the morning?—I started from Birmingham in the morning.

257. When did you get to Birmingham?—I was there Thursday evening.

258. Where did you start from that morning?—Dudley.

259. How long had you been at Dudley before you started?—About a week.

260. You were a week at Dudley?—Yes.

261. Had you been stopping there with your wife?—No, I had not.

262. You had been stopping at Dudley for a week?—Going about the different places.

263. Was anybody with you?—I was not by myself.

264. Who was with you at Dudley?—I had a friend.

265. What is his name?—Sherman.

266. Is he a Cheltenham man?—Yes; he is an aged man.

267. Is he an active Yellow at Cheltenham?—He is like me, rather slow.

268. Where did you start from to go to Dudley?—I have been to various places.

269. Have you been at Cheltenham for three or four months?—I might have been; I was out for a little air.

270. Have you been absent from Cheltenham for three or four months?—I have not been away for three months.

271. Have you not been away since February? Yes.

272. Who took you away?—Nobody did not take me away.

273. Where did you go to from Cheltenham in the first instance?—I had got some friends up in the country, and I went to see them.

274. Did you go down to Berkeley?—I went to Fairford.

275. Did you go alone to Fairford to see some of your family?—I had none of my family there.

276. How long were you at Fairford; come, answer the question, for I am going to have it all out?—I might have been there a week.

277. Who went with you to Fairford?—Two or three went with me.

278. What name did you go by when you went to Fairford?—The same as I always went by.

279. What was that?—Lea.

280. Who paid your fare to Fairford?—Myself.

281. Did you go by railroad?—No, I went by my own pony.

282. Do you mean to say that you and three people went with your own pony to Fairford?—Yes.

283. Did you go from Cheltenham to Fairford?—No; I stopped at Cirencester and one place and another.

284. How long were you touring about from Cheltenham and Fairford?—Tooling about?

285. Touring

285. Touring about, moving about?—About a week.

286. Stopping at public-houses?—No; I had got better houses to go to than public-houses.

287. I want to know where you went to after being a week up in the Fairford country; did you get to Berkeley?—Did I get there?

288. Yes, that is my question?—I never went to Berkeley.

289. How near to Berkeley did you get?—Not within 20 miles, I don't think.

290. Where did you go to after the week at Fairford?—I went to Cirencester again.

291. Where did you stop at Cirencester?—I have got a sister's to stop at.

292. Did you stop at your sister's?—Yes.

293. Who was with you, keeping you company, at Cirencester?—I did not stop there.

294. Were any Cheltenham men with you?—Yes, there was.

295. What was the Cheltenham man's name who was with you at Cirencester?—Jenkins.

296. Was he with you at Fairford also?—Yes.

297. Where did you go to from Cirencester?—I went to Bristol.

298. With Jenkins?—Yes.

299. Who paid the railway fare?—Who paid the railway fare?

300. That is my question?—I paid it myself.

301. Where did you get the money from; you, who could not pay your rates, where did you get the money from?—I was never asked to pay the rates.

302. Where did you get the money from to pay your fare to Bristol?—I had got that much money about me.

303. How much money did you leave Cheltenham with; that is my question?—What money did I leave Cheltenham with?

304. What money did you take with you when you left Cheltenham?—I had enough with me for that.

305. How much did you take away with you?—I cannot say as to a shilling or two.

306. I do not ask you to say as to a shilling or two; just tell the Committee what money you took with you when you left Cheltenham, for the benefit of your health?—I had some money.

307. How much?—£. 6 or 7 *l.*

308. Where did you get it from?—Money that has been due to me.

309. Who paid it to you?—A good many did.

310. Tell me the name of anyone whom we can call; tell me anybody who paid you money due to you before you left Cheltenham?—Who paid me any money? Well, I received 7 *l.* for some pigs.

311. Who paid you 7 *l.* for some pigs?—I can find the man.

312. If you will tell me his name, we will find him?—You can easily find him.

313. What is his name?—Well, his name is Mr. George Marshall.

314. Where did he live?—He lives at the "Brighton Arms."

315. Where did you stay at Bristol?—We stopped at a Temperance-house.

316. Who took you to it?—A person who kept an accommodation house.

317. Who took you to the Temperance-house?—There are people on the look-out to take people to such places.

318. Was Jenkins with you?—Yes.

319. Any other Cheltenham person except Jenkins?—No.

320. How long did you stay at Bristol?—We didn't stop there more than one night.

321. Where did you go to then?—I went near to Swansea.

322. Did you go there by railway?—Some part by rail, and some part by water.

323. Did Jenkins go with you to Swansea?—Yes.

324. Who paid your expenses to Swansea?—(*The Witness paused.*)

325. Eh! come?—Jenkins paid his fare and I paid mine.

326. How long were you at Swansea?—We did not stop very long.

327. How long; a week?—No, not a day.

328. Where did you go to then?—We had a gentleman as sent us a place to go to.

329. What is the name of that gentleman?—Young Mr. Dangerfield.

330. That is the Mr. Dangerfield who used to live at the "Plough," Cheltenham, is it not?—That might be him.

331. That is the son of Mr. Edward Dangerfield, a gentleman who takes part for the Yellows?—I do not know.

332. You tell me you have been in a Conservative Club?—He acted as a gentleman to me.

333. What did young Mr. Dangerfield do for you at Swansea?—He found us a place for us to eat and drink at.

334. Where?—At Langor Villa.

335. Is that near Swansea?—Yes.

336. How came you to be there with Mr. Dangerfield?—We found him.

337. How long were you there?—About three weeks.

338. Living as gentlemen at Langor Villa?—Yes.

339. Young Mr. Dangerfield gave you money, or did he pay your expenses without giving it to you?—I don't know anything about it; I know we didn't pay it.

340. Where did you go next from Langor Villa?—We came back again to Fairford and Cirencester.

341. Did you come by railroad all round through Gloucester, or through Bristol?—We didn't come through Bristol.

342. Did you come through Gloucester?—Yes.

343. In the night?—No; in the open day.

344. Who paid the fare; because it is a good step from Swansea to Cirencester?—Mr. Danger field paid it.

345. Where did you get to when you were in Cirencester?—We stopped a night at my sister's.

346. Then we have got to Fairford; was Jenkins with you still?—Yes.

347. How long were you at Fairford?—About another week.

348. Was Jenkins with you?—Yes.

349. Where did you get next to from Fairford?—From Fairford?

350. Yes; after you left Fairford?—We went to Cirencester.

351. Where did you go to from Cirencester?—Then I returned from Cirencester to Fairford again.

352. That is a very pretty country, you know?—It is a very nice country.

353. Did you go in traps and flys?—We walked; we did it to kill time.

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354. It was very slow work, I suppose?—Yes.

355. You longed after the shop-board?—I dare say I wanted a rest, the same as you might do.

356. Did you send any money to your wife during that period?—I knew that she had got some.

357. What family had she to maintain in your absence; there was herself; how many people were there at home?—They all worked for their living.

358. How many were there?—Two.

359. Now, you say you went from Cirencester to Fairford; where did you get to next?—I went round the clothing country.

360. What, Wiltshire and Bradford?—I think it was in Gloucester; it was round that neighbourhood.

361. Did Jenkins take you round there?—I took myself.

362. With Jenkins?—I was with him.

363. Did you stop at Stroud or Nailsworth, or where?—I went to Stroud sometimes.

364. Were you stopping in the clothing country?—We stopped at a public-house a mile away.

365. Away where?—At Cain's Cross.

366. Who paid your bill at Cain's Cross?—Sometimes I paid it.

367. Where did you get the money, if you paid it at all?—(*The Witness paused.*)

368. Now, come, do you mean to swear you paid your bill at Cain's Cross?—I had money with me.

369. Did you pay your bill at Cain's Cross? take care of yourself; do you mean to swear that you paid your bill at Cain's Cross?—I tell you I did.

370. Where did you get the money from?—It was sent to me.

371. By young Mr. Dangerfield?—I don't know who sent it.

372. You do not know who sent you the money?—No.

373. You do not know how much was sent?—I had a cheque for 5 *l.*, but I don't know where it came from.

374. Do not you know who signed the cheque?—I didn't sign it.

375. I do not suppose you did, you need not tell me that; do you mean to swear you do not know who signed the cheque for 5 *l.*?—No; I don't.

376. Who did you get it cashed by?—I gave it to the landlord to cash.

377. Did Jenkins get you the cheque?—No, I did it for him myself.

378. Who did you send to for the cheque?—I did'nt send for it at all.

379. Did you not expect it?—It came; I don't know how it came.

380. Did you not tell anybody you were going to Cain's Cross, and expected the money?—No.

381. How did they know how to find you at Cain's Cross, unless you had told them you were going?—The money came.

382. Who did you apply to for the money?—I don't know more than the dead, where the money came from.

383. Who did you ask for the money?—The money came.

384. Who did you apply to, to pay your expenses to Cain's Cross, when you were out on this work?—I tell you I know the money came there, but I don't know how it came.

385. Do you mean to swear you had not applied to anybody for money?—I hadn't applied for money.

386. Had you not arranged with Mr. Dangerfield that you were to go to Cain's Cross?—Other parties might; I don't know whether it was Mr. Dangerfield or who it was.

387. Who arranged for you to go to the inn at Cain's Cross?—(*The Witness paused.*)

388. Who arranged for you to go to the inn at Cain's Cross, and to go about the clothing country?—It must have been when I went about the clothing country.

389. Who took you up to Kane's Cross; did Jenkins take you?—No.

390. Did you take Jenkins?—Jenkins went along with me.

391. Then you took Jenkins there?—No.

392. Did you go there of your own accord then?—No, not exactly.

393. At whose suggestion did you go?—Sherman went with me.

394. Did you, Sherman, and Jenkins stay together at Kane's Cross?—Sherman went away.

395. Where did you go to from Kane's Cross, where did you go to next?—Cheltenham.

396. Back again; how long did you stop at Cheltenham?—A night.

397. Where did you start for then from Cheltenham after that night?—I have got a son in Birmingham, and we went there.

398. Who did you see that night?—I saw Sherman.

399. Did you see Mr. Cheshire?—I cannot say that I did see him.

400. You did see Mr. Cheshire?—I did not see anybody else.

401. Had not Cheshire offered you money to give evidence?—He never offered me any money at all.

402. Did he give you an order for clothes, to make a shooting jacket?—That was some time ago.

403. Well, I know, that is the beginning; did you get any money anywhere at Cheltenham that night or the next morning to go to Birmingham with?—No; I did not.

404. Who paid your expenses to Birmingham?

405. Who paid your expenses to Birmingham from Cheltenham?—Sherman paid the money.

406. How long is it since that night that you were in Cheltenham, how many weeks?—I suppose it is a little more than three weeks.

407. Have you been living at Dudley ever since?—Dudley, and about there.

408. With Sherman and Jenkins?—No; Jenkins ain't been with us.

409. Sherman, not Jenkins?—Sherman was.

410. Where did Jenkins leave you, at Kane's Cross or at Cheltenham?—At Cheltenham.

411. Can you read?—I cannot.

412. Can you write?—No.

413. As you say you are a member of a Conservative Club, you belonged then to the Blue party, did you not; what is the club that has the honour of having you as a member of it?—I don't know.

414. You do not know what club it is; is there any such club that has you for a member?—Is there a club?

415. Yes; that is my question?—I know there is a club.

416. Of which you are a member?—Yes.

417. Where

417. Where does it hold its meetings?—At the "Beehive."

418. When did you make up your mind, then, to turn round upon your party and give all this talk to the Yellows; it is a benefit club, is it not?—Yes; it is a benefit club.

419. You being a member of that club, when was it that you first told anything that you have mentioned to-day to the Yellow party?—Not so very long ago; it cannot be much more than three months, it might be about 14 weeks.

420. Was it just before you were sent to Fairford?—It was just before I went to Fairford.

421. Then was it arranged that you were to go out of the way until the petition was heard?—It was not arranged particularly.

422. Who desired you to go out of the way, who requested you to go?—Because I knew I was in a rum predicament between both parties, and if I did not go away for one, I must have gone away for the other, I am sure of that.

423. Had you been examined before; had you not begun to ask for money as far back as August last?—August?

424. August after the election; had you not said that money you wanted, and money you must have?—I never said such a thing.

425. Had you not applied to Mr. Stroud or some gentleman acting for Mr. Schrieber, for money?—I never applied to Mr. Stroud; my son had a loss of about 14*l.* 10*s.* in gold, and six two-shilling pieces.

426. Did you go to some other gentleman who had supported Mr. Schrieber to beg that they would help you?—I only went to one or two.

427. To see if they could give you some money to supply the loss?—Yes.

428. Did you tell them if they did not do it you must go to the other side?—I deny that; I never did.

429. When did this loss occur to you of this 14*l.* 10*s.*?—The Thursday after the election.

430. That was in July; is that the son who lives with you?—Yes.

431. He lost 14*l.* 10*s.*?—Yes.

432. Who did you go to to ask for some money to supply your loss?—I did not have none from you.

433. Who did you apply to is my question?—I did not ask above two or three.

434. Give us the names of those who you applied to?—I know what was stated.

435. Who did you apply to?—They said they could do nothing.

436. I want to know who they were, that is my question; give me the names of any persons whom you asked to supply the loss?—I did just name it to Mr. Burn.

437. Did you ask Mr. Cockrell; was he one of the persons whom you applied to?—I think I did say something to him.

438. Palmer?—Palmer said he would take a paper and get it for me.

439. Palmer said he would take a paper round and try to get some money for you?—He said he could easily make it up.

440. But he did not?—No.

441. He said he could easily make it up, but he did not keep his word?—I did not expect that he would.

442. Were you in Mr. Stroud's office last January?—I believe I was.

443. Were you questioned by him as to what you had been supposed to have said about the last election?—I was.

444. Did he put questions to you?—Yes.

445. And write down your answers?—Yes.

446. Did you make any mark to them?—I did.

447. In the presence of Mr. Stroud and Mr. Alder?—I told Mr. Stroud what was going on, and I told him I thought the best way was to send me out of the road, and he said he thought so too.

448. You asked him to send you out of the way; don't you know that Ballinger voted for Colonel Berkeley?—He did not do it intentionally.

449. But accidentally he voted for Colonel Berkeley; don't you know that his vote was recorded for Colonel Berkeley?—I know his vote was, but he did not know it at the time.

450. Eh?—It was quite a mistake.

451. At all events, Colonel Berkeley had the benefit of his vote, although you say he wanted to vote for the other side; about a week after the election, did Mr. Cheshire, Colonel Berkeley's agent, tell you he should like a shooting dress?—He did.

452. Did this Mr. Jenkins, whom you have been speaking about, say to you that he would lend you his name to get 10*l.*?—That was not the Jenkins.

453. Another Jenkins?—Yes.

454. Did you go with the other Jenkins to Mr. Cheshire about that loan of 10*l.*?—I did.

455. Did Mr. Cheshire join you at this place afterwards, at O'Brien the tailor's?—I saw him there.

456. Had the party gin and peppermint?—I had a drop.

457. Did Cheshire afterwards ask you if you would open your mind to him that night about what you knew of the election?—I heard something said.

458. Did you say to him, "I have nothing to open"?—I don't know.

459. Now, come?—I won't be sure just rightly about that.

460. Just think a bit; did he not say to you, "If you will open I can make a gentleman of you"?—He said he would get me a lot of work.

461. That is making a gentleman of a tailor, is it not?—Particularly if the work is good.

462. Did you say to him, "Well, I have nothing to open, and nothing I know"?—How can I recollect if I said it?

463. Did you say that to him?—I could not be positive.

464. Now, take care?—Well, I could not be positive.

465. I have got a paper in my hand, so take care. Did you not say to him, "I have nothing to open, and nothing I know"?—I cannot say whether I did or not.

466. Will you swear you did not?—I shan't swear at all, because I am not positive.

467. Did you tell Mr. Stroud that that was what you said to him?—Well, I might.

468. And sign it?—I might.

469. Did not you?—I might say that to Mr. Stroud; I won't hold any argument whether I did or not; I had been to Mr. Alder's in Winchcomb-street.

470. You had the gin and peppermint and then Cheshire says, "Well, you shall not go

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away from here until you do open?—That was not just then.

471. That was afterwards, was it not; he got you another time?—Before then.

472. How many times did he get you before you did open?—I met him several times.

473. Every time you said you could not "open" anything. Did he County Court you for something?—He did.

474. What was that for?—For 6 *l.* for a machine.

475. Did you tell Mr. Stroud that he put you in the County Court in order to get the money?—I might, I won't be confident.

476. Had you not several messages to go to Cheshire, and had you not stayed away?—I had not been many times.

477. Then, when you got the County Court summons, did you go?—Yes.

478. Did Cheshire, on one of those occasions, say, "Now it is time for you to come out"?—He asked me to open at different times.

479. Did you at those times refuse to "open"?—I did for a good while.

480. Did you tell Mr. Stroud that you had never received any money from Cockrell?—I never received any money from Cockrell; I never said I did.

481. Who was the first person to whom you did make this statement that you have been examined about to-day?—Who did I open to?

482. Yes, who did you "open" to, as you have used the word?—Well ——

483. Now, come, after refusing so long and saying you could "open" nothing?—I opened to Mr. Cheshire.

484. How long was it after you told Mr. Stroud and signed the paper that you had nothing to tell; how many weeks after you had been to Mr. Stroud and signed the paper did you go to Cheshire to "open"?—It was not long.

485. Eh?—It was not a great while after.

486. Did Mr. Stroud refuse to pay you any money when you were at his office?—I never asked him for any.

487. Did he give you any?—Mr. Stroud?

488. Yes?—Mr. Stroud gave me no money.

489. Did you not say you were hard up, and wanted money?—No, I did not.

490. Did you ask Mr. Stroud to take you through the Bankruptcy Court?—No, I did not.

491. Who went with you?—Nobody; not to ask that question.

492. How soon after you left Mr. Stroud's office and signed the paper that you had nothing to tell about the election, did you go to Cheshire to "open?"—(*The Witness paused.*)

493. Come?—About a week, or something like that.

494. Did you go of your own accord, or were you sent for again?—I met two or three.

495. Did they take you to Cheshire?—No.

496. Did you go of your own accord?—I did at last.

497. Who were the two or three who spoke to you about going to Cheshire?—O'Brien asked me several times.

498. That is O'Brien, the tailor?—O'Brien knowed what was done.

499. What money did you get before you left Cheltenham for Fairford?—What money?

500. Aye, from Cheshire?—I had no money from Cheshire.

501. You are a 10 *l.* householder, and you want the Committee to believe that you paid for yourself to go to Fairford, although you could not pay your rates?—I had some money.

502. What have you been promised?—I have not been promised anything.

503. Will you swear that you were not promised anything?—I swear that I was not promised nothing.

504. You don't expect anything?—No, not that I know of; I don't know whether there will be anything or not.

505. How was your wife to be maintained while you were absent?—My wife has been a very careful woman, and she had a pound or two of her own.

506. You mean to swear that you went away from your wife and home without coming to an understanding with anybody?—I had no understanding or no promise of anything.

507. Have you asked for anything?—No, I have not.

508. Have you been told it shall be made all right to you?—No, I have not; I know nothing about it.

509. You went away to spend your time?—I was not very happy in my mind.

510. What distressed you?—(*The Witness paused.*)

511. Come, let us have it; what made you unhappy in your mind?—I was not exactly right in my mind.

512. What made you unhappy in your mind?—That is my business.

513. You were unhappy in your mind, but you won't tell me about what?—No; you don't tell everything that troubles your mind.

514. You will not tell us what it was that induced you to go to Cheshire, but only that you were unhappy in your mind. How much money did you pay yourself out of your own pocket during the three months you were away, from February. You say you have been home but one night since. How much money have you expended yourself during this travelling about, with the exception of the 5 *l.* note?—I spent this money.

515. Let me know whether you mean to swear that you spent your own money?—I cannot.

516. You told me you were in difficulties?—I worked at some places.

517. Where have you worked?—I have done work with different people.

518. Tell me any place where you have worked during the last three months?—I did a good many jobs when I was at Cain's Cross.

519. At the inn?—Yes.

520. What do you mean to swear you did; were you mending the landlord's breeches?—He did not wear breeches.

521. His coat, perhaps?—He wore trousers.

522. Did you stitch the landlord's trousers?—I stitched a good many things there.

523. What did it all come to; all this labour of yours at Cain's Cross, because you say you got a 5 *l.* cheque there?—I dare say I earned 26 *s.* or 27 *s.*; I should think that was about it.

524. What is Jenkins—the man you went with about the country; what is he at Cheltenham; you said he is not the Jenkins that you lent your name to; what is that Jenkins whom you took about the country with you?—Well, he is a labourer, I suppose.

525. A labouring man?—Yes.

526. With a wife?—He had got a wife.

527. Where

527. Where did they live in Cheltenham?—Somewhere in the neighbourhood of Bath-road.

528. How came you to go away with him; how came you and Jenkins to go away together?—I can't say exactly what was the cause of my going with him, I am sure.

529. Do you mean to swear you don't know why Jenkins went away with you; did you ask him to go with you?—Well, I said I should like for him to go.

530. Who did you say so to?—I said so to Sherman.

531. You said to Sherman, "I should like to have Jenkins to go away with me"?—Yes.

532. What is Sherman?—He is another tailor.

533. Is Jenkins a tailor, too?—If he was a labourer, he could not be a tailor.

534. Which is the man you went with—Jenkins the tailor, or Jenkins the labourer?—Jenkins the labourer.

535. What is he—a day labourer?—He does any sort of work.

536. I suppose he went to do some sort of work with you. He is a man who lives by his daily labour?—Yes.

537. How was that man to be paid for going about with you; you say that you expressed a wish that he should go?—I don't know; I can't say how he was paid.

538. Who brought young Mr. Dangerfield to you at Swansea?—Who brought young Mr. Dangerfield to me at Swansea?

539. That is my question; how came he to know that you were at Swansea; did you go to meet him?—We went to him there.

540. Where did you get any information from that you were to go to Swansea to meet Mr. Dangerfield?—He did not know when it was that I first started.

541. How came you to start to go to Swansea if you did not know where you were going?—I did not know where I was going to.

542. Who wanted you to start to a place you did not know; why did you go to Swansea?—I knew very well we should find Mr. Dangerfield there.

543. Who had told you to go to Swansea to find Mr. Dangerfield?—I think there was some party who sent us to Mr. Dangerfield.

544. I want you to explain to the Honourable Members of this Committee why you started for Swansea to meet Mr. Dangerfield, by whose orders, or information, or suggestion (*the Witness paused*). Come, answer the question quick, if you wish to be believed?—I did not know where I was going when I first started.

545. You did not know where you were going to?—No.

546. Did you know when you got to Bristol that you had to go to Swansea?—I knew I had to go somewhere; I could not tell where.

547. Who told you to go to Swansea, or to somewhere where you did not know?—We had a paper to direct us.

548. Where was the paper; did you find that at Bristol?—No, it was not there.

549. Where did you find the paper? I mean to have it out, so it is of no use wasting time; where did you find that paper in consequence of which you went to Swansea?—I had it the other side of Cirencester.

550. Was it at Fairford?—No.

551. Was it on the other side of Cirencester?—It was near the Kemball station.

552. You had a paper at Kemball station to tell you to go to Swansea?—Yes.

553. Is that what you mean to swear?—Yes.

554. Now, who was the paper from?—Mr. Cheshire again.

555. Mr. Cheshire sent you a paper to go to Swansea to inquire for Mr. Dangerfield; was any money in that paper?—No.

556. Did you get any money given to you to enable you to reach Swansea?—I got money of my own.

557. Do you mean to swear that you went to Swansea with money of your own?—I had got money of my own.

558. Where do you mean to swear the money of your own was obtained from by which you travelled to Swansea, after you had been frequently at Fairford and Cirencester?—I cannot say.

559. How much money do you pay from Kemball to Cirencester?—Mr. Dangerfield gave it me on the Monday week following after.

560. You mean at Swansea?—Yes.

561. Eh?—Mr. Dangerfield gave it me at Swansea.

562. How much did Mr. Dangerfield give you at Swansea?—A sovereign.

563. How many sovereigns?—Only one.

564. Tell me how much money you paid to get from Kemball station to Swansea out of your own money?—I forget what it was to Bristol.

565. Do you know Joseph Church, the builder?—Do I know him? Yes.

566. Have you got the paper that Mr. Cheshire sent to you in your pocket?—No, I have not.

567. What did you do with it?—I threw it away.

568. Now you tell me you know Joseph Church?—I know him.

569. Now Mr. Lea, had you begun speaking of what you knew of the election soon after your son's loss of the money?—Not as I know of.

570. Will you swear you had not been going about saying you could tell enough to upset the election?—Not that I know of.

571. Will you swear you did not?—It is unknown to me.

572. I will try to bring it to your knowledge?—It is unknown to me.

573. Did not Joseph Church tell you, "What is this tale that you have been going about"?—I don't know that ever I spoke to him.

574. I am going to call him, so take care; did he ever speak to you and say, "Hallo! what is this tale you have been putting about"?—Not that I know of.

575. Will you swear you did not?—If I did it is unknown to me.

576. Unknown to you?—Yes.

577. Did you say, "I have done nothing of the sort, for I know nothing, and can tell nothing"?—That's unknown to me.

578. Did you use those words, that you could say nothing to Cheshire because you knew nothing?—I cannot say that I ever spoke to Joseph Church.

579. Did you ever say to Joseph Church that you could tell nothing to Cheshire because you knew nothing?—I don't know that I did.

580. Will you swear you did not?—I don't know whether I did or did not.

581. Were you asked by different people about the

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the statement that you were supposed to have made to Mr. Cheshire?—Not as I know of.

582. Were you not a week before this catechised or spoken to about some story that you put about against Mr. Powell—"cross-questioned" is the Gloucester term?—About some story?

583. About some tale that you had set about with regard to Ballinger and Sims; were you not asked or spoken to about it?—No doubt but what I was.

584. Whilst you were telling Church that you had nothing to tell him, did you not tell people, "Why, I have nothing to tell him, although he is pressing me to say I knew something"?—Well, I don't know.

585. Did you not tell different people that Cheshire had been pressing you to tell something, but you knew nothing?—I suppose I did not seem inclined to tell him.

586. I want to know whether you did not say that?—I could not say.

587. Will you swear you did not?—I will not swear because I cannot keep such things in my head.

588. Did you ever meet Church at the "Butchers' Arms"?—Church?

589. Yes?—At the "Butchers' Arms"?

590. At the "Butchers' Arms," Tivoli?—I don't know what you call the "Butchers' Arms."

591. Did you say to Church "May God strike me dead if I had anything myself at the last election, or gave anybody any money"?—Not to my knowledge.

592. Will you swear you did not say so?—I could not say that I ever spoke to the man, or that the man, spoke to me upon the subject.

593. Will you swear you did not say that to Church?—I don't believe I ever said it; I don't remember him speaking to me upon the subject; if I said it it is unknown to me.

594. Will you say that you never said that you had nothing yourself at the last election; nor gave anything to anybody?—I cannot swear that I did say that or not.

595. Will you swear you had not said so until you made the statement to Mr. Cheshire that you did not know anything; will you swear you have not told many people that you never had any money yourself?—I can't say that I did or I didn't; I will not say anything about it, because I cannot say.

596. What cannot you say?—I can't say that I ever said any such words at all.

597. Will you swear that you did not?—I won't swear because I don't know whether I said such words at all.

598. You said that Cheshire spoke to you many times, and you went away from him and told him several times that you knew nothing, and could tell nothing?—I don't believe as ever I said such a thing.

599. Will you swear that you did not?—That may be other people's making, but it was never my making; in fact I have no recollection of it.

600. Will you swear you did not tell other persons that you never had any money, and never gave any money?—I could not swear it, that is not in my recollection.

601. Do you know Mark Cole, of the Bath Road?—Yes, very well.

602. What is he?—He is a butcher.

603. You know him?—Yes.

604. Have you had a conversation with him since the election?—Since the election?

605. Yes?—Since the election I have.

606. Did you tell Mark Cole that money you wanted, and money you must have?—I do not believe I did.

607. Now, take care?—Not on such an occasion as that.

608. Did you ever tell "Mark Cole, money I want, and money I must have"?—I don't believe I ever said any such thing to Mark Cole; Mark was very great with me, I know.

609. Did you say to him, "If I don't get it from one party I will from the other, and I do not care a damn from which"?—I never said no such thing.

610. Will you swear you never did?—I do not know what he will say.

611. I want to know from you first of all what you said?—It seems he says I will say anything.

612. It is for the Committee to say who they will believe, a respectable tailor like you, or my witnesses; will you swear you did not say that to Mark Cole since the election?—I do not believe I did.

613. *Chairman.*] You must answer the question?—I don't believe I did, I have no knowledge that I did.

614. Mr. *Cooke.*] Did you and Mark Cole have a talk about the election since the election, in Mark Cole's own shop (now I will give you fair warning), at the time when Mrs. Haines and Mark Cole's own wife were present, in the presence of Cole's wife and Mrs. Haines?—What Haines?

615. Of 16, Bath Terrace; do you know the woman, Mrs. Haines?—I have seen she.

616. Now just take care, I give you the names of three people; did you not say in the presence of those three people "Money I want, money I must have, from one side or the other, I don't care a damn which"?—I never used the word damn.

617. Then, we will leave the "damn" out; did you say, "Money I want, and money I must have"?—That is some other's making; I never said so.

618. Take care, because if those three people are believed, it may be the worse for you; did you say in the presence of those three people, that money you wanted and money you must have?—I don't know that I said that.

619. Was it the truth that you wanted money?—I did not want to get money in no such road as that; I did not do anything for money.

620. I want to know whether you said that in the hearing of those three people?—(*The Witness paused.*)

621. Don't keep us all day; either deny it and then I can call them, or admit it, and that will save us the trouble?—I shan't say, because I can't say.

622. You won't say one way or the other?—I can't say.

623. By the *Committee.*] Had you a conversation in the presence of these people?—I can't say.

624. Had you a conversation at all in the presence of these people about the election?—We talked with a good many people about it, your Honor.

625. Did any conversation take place at all in the presence of these people?—Not that I know of; I would not be positive, so far as my recollection allows me.

626. Mr.

626. Mr. *Cooke.*] You mean to swear you never had a conversation since the election in the presence of those three people?—I ain't said that; because we had a conversation at different times.

627. By the *Committee.*] Did you have a conversation in the hearing of these three people, in this shop of Mark Cole, about the election?—I had no knowledge of ever making use of those words.

628. Mr. *Cooke.*] Were you in the shop when those three people were present?—I don't know.

629. Now, come?—I don't know whether I was when Mrs. Haines was there.

630. When were you last in Mark Cole's shop; you have been away now for many weeks?—I dare say I was not above three or four days, because Mark Cole was along with me at Mr. Alder's.

631. When were you last in Mark Cole's shop to have any conversation?—It might be not for three or four days.

632. After the election?—A good many times; three or four days before I went away.

633. Were Mrs. Cole and Mrs. Haines then present?—I don't know.

634. Will you swear they were not?—I cannot; I have no recollection of Mrs. Haines.

635. Will you swear you were ever present when Mr. Cole was there?—I have been into her apartments at different times, but I have no recollection of them words.

636. Were they present in the shop when you and Mr. Cole were there talking about the election?—I never recollect Mrs. Haines being there.

637. Were you not there when Mr. and Mrs. Cole were talking with you about the election?—We have talked so many times about the election.

638. Now, upon any occasion, never mind whether Mrs. Haines was there or not, were you not there talking about the election when Mrs. Cole and some other persons were present?—I have no recollection of it.

639. Who is Mrs. Haines; is she a married woman?—She is a widow.

640. Will you swear, now, that you did not say ——?—I will not swear it, because I have no recollection of ever being with her when she was there.

641. Will you swear you did not say in the hearing of those people, "Money I want; money I must have"?—I can never credit as I ever said it; if I have it must have been when I was fresh; but I do not believe I ever said it; I don't recollect Mrs. Haines being there.

642. Supposing you were fresh, will you swear you did not say, "I must get it from one party or the other"?—I never recollect as I ever said any such thing.

643. That is all you will tell me?—I cannot say I said any such thing; it is unknown to me if ever I did; I can't believe I ever did.

644. You would not like to swear you did not?—I should not like; I never said anything about getting money.

645. Getting something else then instead of getting money; did you say to anybody, "Something I want, and something I must have"?—No; I have no recollection of any such thing.

646. You told us you owed Mr. Powell 80 *l.*?—I should think it was pretty near 80 *l.*

647. Did not Mr. Cheshire ask you how much money you owed Mr. Powell?—He did ask me.

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648. Did you not tell him 70 *l.* or 80 *l.*?—I did.

649. Did he not say, "We can square that?"—Not that; he said, "How would that be"——

650. Just tell us what led to this; when Cheshire asked you how much money you owed Powell, what did he say?—I told him I did not like to have anything to say; I was in the Conservatives' hands, and I owed them money.

651. Did he ask you how much?—I told him.

652. £. 70 or 80 *l.* to Powell?—Yes.

653. What did he say upon that?—He did not say he would pay it, or it should be paid.

654. What was it he did say?—He said, "How would that be if"——

655. If what?—He never promised me it should be paid.

656. Tell us what he said?—"How would that be if it was squared?" but he did not say he would.

657. He is too old a Yellow to say that?—He never did that.

658. It was after that that you told him what you have told us to-day, was it?—No, it was not.

659. How soon after; a day or two?—I do not know, just rightly.

660. Then you took this tour round Fairford and the country?—Yes.

Re-examined by Mr. *Powell.*

661. Did Cheshire say anything about which side was to square it, the Yellow or the Blue?—No.

662. Now, tell me, who is this Cole that you have been speaking of; Mark Cole?—He is a butcher in the Bath-road.

663. Is he one of the Blues or the Yellows?—He is one of the Blues.

664. How came you to be at his house talking about the election?—We were neighbours, and intimate together.

665. Did he ask you to come in, or did you go in, or what?—We were frequently in there.

666. Did you say, if you did say so, that you must have been fresh?—I must have been fresh; I have no recollection of it.

667. Were you at any time fresh when you were talking about election matters?—Many a time.

668. How came you to be fresh; who supplied you with the drink?—I suppose myself.

669. When you were at Cole's house?—We used very often to have a glass together.

670. Where did the drink come from?—Sometimes we sent for it from the "Exmouth Arms."

671. You have been asked a good deal about your travels; did your travels ever extend as far as the Continent, or America; you never went out of England?—I went into Wales, Swansea.

672. Did you meet Palmer anywhere in your travels?—No, I never saw him.

673. Mr. Baldry?—No.

674. Or Church?—No.

675. Or Welsh?—No.

676. Or Minson?—No.

677. Have you seen any of those in Cheltenham since?—No.

678. You did not meet any of those during your travels?—No.

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679. Have you seen any of them in Cheltenham lately?—No.

680. During each time that you have been in Cheltenham, have you seen any of them there?—I have not seen none of them these 14 weeks.

681. Just tell me this; you have been asked about going to Mr. Stroud's office, and about something you said there which was taken down in writing; how came you to go to Mr. Stroud's office?—Because Mr. Barnfield and Mr. Alder said they thought it was very likely I should go to Mr. Stroud's and see if he were at home; I should go there for him to enter down what I said.

682. Is that gentleman sitting next to my friend Mr. Stroud?—Yes.

683. That is the gentleman to whose office you went?—Yes.

684. What did you go there for?—He wished me to go there to let him know how things was a working.

685. Had you been asked several times to go before you went, or what?—No, I never was asked before.

686. When you went to Stroud's office, did you see him?—Yes.

687. Did I understand that you went from Mr. Alder's?—Yes.

688. Is that the Porter Stores that we have heard of?—Yes.

689. Had you anything at the Porter Stores before they took you to Mr. Stroud's?—Yes, I asked for a pint, and they brought two; the missus brought one, and the master brought another.

690. Had you been at the Porter Stores before you went to Stroud that day?—I had two or three drops before that.

691. Who paid for what you had at the Porter Stores?—I paid for one pint, and one they gave me.

692. Were you fresh, or not, when you were at Mr. Stroud's?—I was a long way from being sober.

693. Was it then that Mr. Stroud asked you the questions, and you gave him the answers which he took down?—Yes.

694. You say you have been travelling about the country in this way that you have told us; do not be afraid of it; how came you to travel about in this way for three months; tell us all about it; out with the truth?—I went on account because I knew if I didn't go the Conservative party would have sent me away, the same as they have Palmer.

695. You knew that the Conservative party would have sent you away, the same as they have sent Palmer away?—Yes.

696. I suppose I may take it that the Yellow party took you out of the way of the Conservative party?—Yes.

697. You have been asked about applications for money, and about a cheque; can you either read or write?—I can't.

698. And therefore you said you did not know who the cheque was signed by?—No, I did not.

699. How long have you been in business in Cheltenham?—Nine and thirty years.

700. What rent do you pay for your house?—£. 10.

701. You have been in business 39 years, and you have got credit from this Mr. Powell?—Yes, I had a smart bit of dealing with him.

702. These other persons that we have been talking about, are they also tailors; is Sherman a tailor?—Yes.

703. Does he deal with Powell?—Yes, he have dealt with him.

704. Is either of the Jenkinses a tailor?—There is a Jenkins a tailor, not either of those that have been with me.

Examined by the *Committee.*

705. You state that you have been carried about for the last three months by the Yellow party?—Yes.

706. Is that so?—Yes.

707. Do you mean at their expense?—No more than something for eatables, and so on.

708. Do you mean they have provided for your expenses while you have been carried about?—A good deal of it was by this gentleman, Mr. Dangerfield; I don't know any more; I don't know how the money came, because I can't read or write.

709. You have not paid any of your expenses yourself?—I have paid some from what I have earned.

710. How much have you paid?—I should think with what money I took away, and what things I required——

711. How much did you take away?—I took away from 3 *l.* to 4 *l.*

712. Where did you get that from?—I had money with me. I sold three pigs and a lot of meal, which came to pretty nigh 10 *l.*

713. When did you sell that?—I sold it to a man who lives down at Adderley.

714. How many months ago?—I saved money not a fortnight before leaving home; not much more than a week.

715. A week before you left Cheltenham?—A week or 10 days.

716. How many months ago is it since you left Cheltenham?—About 13 weeks ago.

717. You did not receive any money from anybody towards paying your expenses when you left Cheltenham?—No.

718. How many days after you first opened to Cheshire was it that you left Cheltenham?—Not above a couple.

719. He did not give you money?—Cheshire gave me no money at all.

720. Who asked you to go away?—Cheshire gave me no money at all.

721. Had you any conversation with him about your going away?—I spoke to him on the subject, and I told him I knew I should be sent away, and I thought I had better go away at once.

722. You did not ask him for anything towards your expenses?—I did not.

723. You told him you were going away at your own expense on your travels?—I did.

724. Do you know how Jenkins came to go with you?—I was not very well when I went; I thought that he ought to go to take care of me.

725. Had you been ill?—I was very ill.

726. What was your disorder?—I was not well by a good deal.

727. What was the nature of your complaint, if you have no objection to state it?—I was inwardly ill altogether.

728. He went to take care of you?—He went to take care of me.

729. How was he to be paid for taking care of you?—We had a cheque or two sent. Mr. Dangerfie

Dangerfield made a present of a sovereign; and a magistrate of the name of Williams was down there.

730. When you first left Cheltenham, what arrangement was made for paying him for the purpose of taking care of you?—No arrangement was made.

731. Were you to take him at your own expense, to take care of you?—We were sent down to Wales, and there we saw Mr. Williams and Mr. Dangerfield.

732. When this man went away with you from Cheltenham, to take care of you, was he to go at his own expense, or anybody else's expense?—I did not believe he was to go at my expense.

733. Was he provided with any money to take care of himself?—He was not provided with any money then.

734. Being a labourer, was he to go at his own expense?—I do not believe he was to go at his own expense.

735. At whose expense was he to go with you?—We were not a week before we were in Wales.

736. At whose expense did he leave Cheltenham to go with you?—So far, until I went there, I gave him money.

737. You paid him to go with you?—I gave him 1 *l.* *John Lea.*

738. You said you were sent to Wales; who sent you?—It was Mr. Cheshire. 28 April 1866.

739. Did you understand that Mr. Cheshire was to repay you for the expenses you would incur for yourself and this labourer who was to take care of you?—It was never told us whose expense, or nothing of the kind.

740. Did you understand that anybody was to repay you the expense of taking this labourer with you?—He told us that he should send us to a friend of his down in Wales.

741. Did you believe you were to pay your own expenses?—No, sir, I did not; I thought it was to be made right by his friend, or something or another, when we got there.

742. Did your son ever get the money that he lost, made up to him?—No.

743. Not to this day?—No.

744. Mr. *Powell.*] (*After asking permission of the Committee to put the question.*) How long were you altogether at your relations', when you were out these three months?—At my relations'?

745. Yes?—Well, about a fortnight, I should suppose.

[The Witness withdrew.

CHARLES BALLINGER called.—(*The Witness did not answer.*) *C. Ballinger.*

JOHN LEA, Jun., was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows: *J. Lea*, Jun.

746. Is your name John Lea?—Yes.

747. Are you the son of the last witness, Mr. Lea, of Cheltenham?—Yes.

748. At the time of the last Cheltenham election were you staying with your father?—I was working there.

749. You were working with your father?—Yes.

750. Do you remember seeing your father one day with a man called Charles Marshall?—Marshall?

751. Or Whittaker, as he is sometimes called?—Yes.

752. You had some conversation with them?—Yes.

753. Do you remember the morning of the election?—Yes.

754. Do you know George Powell?—I knows Mr. Powell.

755. Do you know Mr. Burn, of the Loan Fund Office?—I don't know that; I do know his name.

756. Did you see Mr. Powell with another man?—Yes.

757. Do you know who that man was?—Not by name.

758. Do you know what he was?—I knew that there was a gentleman along with Mr. Powell.

759. Do you know who or what he was; do you know now who he was?—(*The Witness paused.*)

760. Do you not know who the gentleman was who was with Mr. Powell?—I do not.

761. Was your father with you when you met Powell?—Palmer?

762. Your father?—Yes, he was, in the morning.

763. Did you hear your father say anything to Powell?—They shook hands the first thing in the morning; about one o'clock in the morning.

764. What did he say?—He says, "I have got another vote for you, Mr. Powell." He says, "The other parties have been in Winchcomb-street, at that liquor place."

765. Alder's Porter Stores are in Winchcomb-street?—That is it.

766. Did he say anything to you?—Yes.

767. What?—He says, "You go down there; I won't be above a quarter of an hour before I am there."

768. Who said that?—Powell.

769. Powell said that to your father?—Yes.

770. Did you afterwards go to Alder's Porter Stores, in Winchcomb-street?—Yes.

771. Did Powell come there?—Yes; it might be hard upon half an hour.

772. Never mind that; who was there when Powell came?—There was Sims there, and Ballinger. Sims called my father out. They were out two or three minutes together, and Mr. Powell comes and sits down by Ballinger. I was sitting between Ballinger and Sims, and he gives Ballinger 5 *l.* for his vote.

773. Who did?—Mr. Powell did.

774. What did Ballinger do?—Ballinger wanted more; but after they had had a few words 5 *l.* was decided on as what he would take.

775. After that little matter had been arranged, did Powell come to anybody else?—Yes, he went round and sat down by Sims.

776. What took place between him and Sims?—He bid Sims 4 *l.* Sims was a very quiet man; he didn't desire any more, and he said he would take that.

777. Did

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777. Did you say anything to him?—Me!

778. Do you remember saying anything to Sims?—Not that day.

779. What did you say to Sims?—

Mr. *Cooke* objected to the question.

780. Mr. *Powell.*] Did you at that time say anything to him about it in Powell's presence?—No, I did not say anything then.

781. When Powell had done this with Ballinger and Sims, did you say anything to him?—I got up.

782. What did you say?—I told him I wanted something to eat, and he gave me two sixpences. I gave one to my brother, and one I kept myself.

783. Was there anything else besides the sixpences?—There was nothing that day.

784. Did you hear Powell say anything more at that time?—No; I don't know that there was anything more said at that date.

785. Do you remember after the election some one coming to the house?—Yes.

786. How long after the election was that?—On Saturday morning.

787. Who was it?—It just slips out of my head at this moment who it was.

788. Do you recollect some one knocking at the door?—Yes; I went to the door.

789. Now just tell us who it was; who opened the door?—I opened the door.

790. Was it a man, woman, or child?—A man; I forget his name.

791. Do you know his name, although you forget it at this moment?—Yes; he knocked at the door, and he says, "Is this where Mr. Lea lives?" I says, "Yes." He says, "Is he within?" I says, "Yes."

792. We will not travel through all these courtesies between you; did you call your father down?—I did.

793. Did he come and see him?—Yes.

794. Did he say anything to your father?—Yes; he shook hands, and asked him whether he had got a private room.

795. When he asked for a private room, was anything asked for?—Yes, a pen and ink.

796. Who asked for that?—This gentleman.

797. Where did they go to?—They went up into my father's bed-room. I went up, and he says to me, "Young man, I want a pen and ink." I said, "We have not got one." He says, "I wish you would go and fetch one;" and I went and fetched one from next door. I went upstairs to the bed-room, and I was going in, and he says, "I have got a little private talk with your father, and you must go out of the room for a minute."

798. Did you go into the room at all while he was there?—I took a pen and ink while he was there.

799. Besides that?—Not at all; he says, "I must trouble you to go out, for I have got a little private talk with your father."

800. What I wanted to know was, whether, notwithstanding that, you were in the room at all, while he and your father were in the room; did you go up afterwards or not?—I did not go down-stairs; there are two rooms, opposite one another.

801. How long were they in the room together, about?—I dare say they were in the room hard upon half-an-hour, quite half-an-hour.

802. What became of him after he came out?—My father and he went out together.

803. Just try and recollect who this person was; you say you cannot recollect his name at this moment; do you recollect what he was or what he had been?—I forget his name for a minute or two.

804. Do you mean that you do not know his name, or that you do know it but cannot remember it at this moment?—I know the name.

805. I am sorry to detain the Committee, but just put on your considering cap, and tell us what his name was?—(*The Witness paused.*)

806. By the *Committee.*] Do you know the person who came into the room; do you know anything of him, or whom he was?—I do not know anything about him.

807. You do not know who he was?—I do not know him; I know the name.

808. Could you identify the person?—I heard the name.

809. Mr. *Powell.*] Do you know anything of the person?—I don't know the gentleman.

810. Do you know now anything about him, when he was in Cheltenham, or anything about him?—No, I do not.

811. Can you identify the person?—I knew the name at the time.

812. Do you know the person by sight?—Yes.

813. Have you seen him about here?—No, I have not.

814. You said you knew his name at the time?—Yes.

815. Just consider, my man, what the man's name was?—I cannot think of it, I am sure.

816. By the *Committee.*] Who told you the name?—My father told me the name at the time. I said to my father at the time, "Who was that gentleman?" and my father said, So-and-so.

Mr. *Cooke* stated, that the Witness's father having mentioned the name he had no objection to the name being put to the witness.

817. Mr. *Powell.*] Was it Palmer?—Palmer was the name.

818. And your father told you so?—Yes, that was the name. It just slipped out of my memory.

Cross-examined by Mr. *Cooke.*

819. Is the place, where you say you saw Sims and Ballinger, kept by a man named Ireland?—No, that is not the name.

820. That is not the name of the landlord?—I don't think that is the name. It was in Winchcomb-street.

821. Can you tell me at all what place it was where you met the men?—It was at one of the houses in Winchcomb-street, near the bottom.

822. Public-houses generally have signs; was there any sign to this public-house?—Alder, or some such name.

823. Was there any sign such as "The Cat and Fiddle," or "The Cock and Bottle"?—No, there was nothing of that.

824. What was the sign; did Mrs. England keep it; was that the name of the landlady?—I saw the landlord there.

825. Where did you see it?—In Winchcomb-street.

826. What house in Winchcomb-street?—In Winchcomb-street.

827. What house in Winchcomb-street; they say you have mentioned it before; I suppose you have

have had your evidence read over to you before you came here?— I had in Birmingham.

828. Oh! you have been at Birmingham?—I am a Birmingham man; but I was at work at Cheltenham at the time of the election.

829. Have you had read over to you from any paper, what you were to prove here, in Birmingham?—Nothing more than what I knew.

830. Was what you had read over to you in Birmingham before you started?—I had nothing read over to me there.

831. Was there anything taken down in writing at Birmingham?—What I stated.

832. Was it read over to you to see whether it was right?—Yes.

833. When was it read over to you last; this morning?—No.

834. Yesterday?—No.

835. When then; the day before?—No.

836. The day before that; I see you are looking yonder; why cannot you tell us?—I am speaking nothing but the truth.

837. I want to know when it was that your evidence was read over to you in Birmingham, two days ago, or three days, or four days?—It was taken down. I have had nothing read over.

838. When was it taken down?—About a fortnight ago.

839. As far back as that?—Yes, quite as much as that.

840. Have you had it sent to you since that fortnight to see whether it was right; the writing that you were to prove?—Oh!

841. That is the question which I have been asking you; have you had sent to you that which they have written down, in order that you may see whether it is right?—I had it read down to me.

842. When was it read to you; this very morning?—No.

843. Was it yesterday?—(*The Witness paused.*)

844. *Chairman.*] Answer the question?—It is about a week ago since it was read to me.

845. Mr. *Cooke.*] A week ago it was read to you?—Yes.

846. Where?—In Birmingham.

847. By whom?—I could not tell the name.

848. It was read over to you, and the names were put in at the place where you met in Winchcomb-street?—Yes.

849. Have you any other knowledge of where it was except that it was in a room?—I have seen Mr. Powell after.

850. I want to know where was this place that you say this happened in?—In Winchcomb-street.

851. There are a good many houses in Winchcomb-street, I suppose; what house in Winchcomb-street?—I could not tell the sign, or the man's name.

852. This name which they put into your mouth just now; just tell me whether they put that in your proof?—I have had no name put in. Alder is the name.

853. How did you get the name of Alder, if you don't know the man or the sign?—I know the man who occupied at the time. I know the name.

854. Why have you not told me before?—Because I could not think of the name.

855. You have got a bad memory, it seems?—So I have.

856. So I thought?—That is it.

857. Did you hear your father offer to bet Simms two to one that he did not vote for Mr. Schreiber?—I did not hear that.

858. You have sworn that you saw Simms?—Yes.

859. I ask you, did you not hear your father offer to bet two to one that Simms did not vote for Mr. Schreiber?—I did not hear anything about any betting.

860. Not by Simms, or by your father?—No, not betting.

861. Not two to one?—No.

862. Will you swear that did not take place?—I never heard that.

863. Will you swear it could not have happened?—It might have happened while I was out.

864. Then you went out part of the time?—I did; I wanted to get something to eat.

865. How long were you in Alder's before you left the place?—I suppose I was there an hour. I was there half-an-hour with Simms.

866. You waited half-an-hour after this conversation took place, did you, before you went out?—Yes; it was hard upon half-an-hour. I said to Simms I wanted something to eat.

867. You were there together occasionally with Simms and Ballinger?—Yes.

868. Was not the conversation about the 3 *l.* or 4 *l.* as soon as Simms came in?—Yes; it was Ballinger called my father out as soon as he came in; he sat down near Ballinger and bid him 5 *l.*

869. I ask you whether there was nothing said in the half-hour that you were there about a bet of two to one?—Not while I was there.

870. We understand you lost some money about the time of the election, or complained of losing some money?—Me!

871. Did you not?—No, not me.

872. Have you a brother who did?—Yes.

873. Have you and your father been having some talk together since he came out of the room?—No.

874. None?—I went and had a glass of bitter, but I had no talk with him; only having a glass of beer.

Re-examined by Mr. *Powell.*

875. You live at Birmingham?—I do.

876. That is your place of living?—That is where I live.

877. While you were at Birmingham, did some gentlemen come to you to know what you could tell about this matter?—Yes.

878. And take it down in writing?—And took it down in writing.

879. You were going to tell my friend about having seen Simms?—Yes.

880. When did you see Simms afterwards?—I saw him on the Saturday.

881. Had you any conversation with him afterwards?——

882. By the *Committee.*] Did you reside with your father when you were in Cheltenham?—I was only there at work; my father was busy and he sent for me.

883. Did you live in the same house with him while you were in Cheltenham?—I did.

[The Witness withdrew.

[Adjourned till Monday next, at 11 o'clock.]

Monday, 30th April 1866.

ACTON SMEE AYRTON, Esq., in the Chair.

CHARLES BALLINGER, was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

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884. ARE you a Butcher living at Cheltenham, and an elector of that borough?—Yes.

885. Do you know a person at Cheltenham commonly called Tailor Lea?—Yes.

886. Did he come to your house on the morning of the election with another person?—Yes.

887. Who was the person who came with him?—Marshall.

888. Now, what did he say to you?—He says, "Charles, I want you"; I said, "What is it, Tailor"? He says, "I want you to go and vote for Mr. Schreiber."

889. What did you say?—"I don't know about that, Tailor."

890. What did he say?—He says, "I know what you wants."

891. Well?—I said, "Do you, Tailor"?

892. Well?—He says, "Come with me, and I will make you all right."

893. Go on, and tell us shortly what took place?—I said, "I don't know about that."

894. Go on?—He says, "What do you want"?

895. What did you say?—To the best of my belief, I said, 10 *l.*

896. By the *Committee.*] Where did all this take place?—At my house.

897. Mr. *Powell.*] You say you think you said, 10 *l.*?—Yes.

898. What did he say to that?—He said, "That is too much"; I said, "Well, I don't know"; he says, "5 *l.*, I should think"; I says, "I don't know, Tailor;" I says, "Provided you will give me 5 *l.* and no further trouble, I will vote for Mr. Schreiber."

899. What did he say?—He says, "Will you wait for an hour?" I said, "Yes; providing you are not back in an hour, you will not find me."

900. Did he come in an hour's time?—Yes, to a minute.

901. Went away, and came again to the minute?—Yes.

902. Did anybody come with him?—Marshall.

903. I think they had a little pony-cart?—Yes.

904. Did both come into the house, or only one?—Only Lea.

905. What did he say?—He said, "I have made it all right, Charles, will you go with me?"

906. What for?—To see a gentleman.

907. Did you go?—Yes.

908. Did you go with him in his cart?—I met him at the "Beehive Inn."

909. Was it arranged between you that you should meet there?—Yes.

910. Having met him at the "Beehive," did you go with him somewhere?—To Alder's Porter Stores.

911. Is that in Winchcomb-street?—Yes.

912. When you got there, did you see John Simms?—After I had been there half-an-hour, I saw Simms.

913. After you and Simms had waited there some time, did the gentleman you went to see come?—Yes.

914. Who was he?—He was introduced to me as Mr. Powell.

915. Have you since seen him, and know him to be Mr. Powell?—Since then I have.

916. Who was with him?—Mr. Byrne.

917. Is Mr. Byrne a gentleman connected with a loan office in Cheltenham?—Yes.

918. Were you indebted to that loan office?—Yes.

919. And they have had some process against you?—A little.

920. When Powell came in, did Powell say anything to you?—Yes, he called me into a back room, and said, "Ballinger, what is it you want"? I said, 5 *l.*

921. What did he say?—He said, "That is too much."

922. What did you say?—I said, "I shall not do anything for less than that"; I wanted to come out, and he called me back, and says, "Stop a bit." I says, "I shall not do anything for less." He says, "That is more than what we are doing." He found I would not take anything less; and he says, "You must make a bet with Mr. Lea," that is the tailor, as we call him.

923. Was Lea at that time in the house?—Not in the room with us, but in the house.

924. What did you say?—I says, "I don't know about that." I wanted the money, but he says "In these matters we must take each other's words."

925. While you were talking, did you see Mr. Byrne?—I turned round, and I saw Mr. Byrne.

926. Did Mr. Byrne say anything to you?—He said, "Ballinger, whatever you do with that gentleman (meaning Powell) will be all right."

927. Did Powell say anything more?—I was to make a bet with Mr. Lea; he bet me 5 *l.* to 3 *l.* that Mr. Schreiber was not returned. I said that I did not understand that way of business. He urged me, and as Mr. Byrne said it would be all right, I did so. I said to him, "Providing Mr. Lea should win"?

928. Mr. who should win?—Mr. Lea. He said, "That will not make any difference; it is an understanding that you will receive the 5 *l.*"

929. Did you vote?—Yes.

930. When you got to the polling-booth, tell us what took place there?—I was a little bit elevated, and they asked me for which I voted; I said, "Not for Berkeley; Schreiber."

931. Then I believe they booked you for Berkeley?—Yes.

932. Upon

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932. Upon that there was a row?—Yes; and Mr. Marshall was applied to.

933. Tell us what took place when they booked you for Berkeley?—Mr. Marshall was applied to.

934. He was the inspector?—Yes. I went with the intention to vote for Schreiber.

935. By the *Committee.*] What did you do or say when you went to the polling place?—I said, "Not for Berkeley; Schreiber."

936. You were elevated?—A little.

937. Mr. *Powell.*] How came you to be elevated?—I am rather, if there is anything going on.

938. By drink, do you mean?—Oh, dear, no! a little excited, you know.

939. Had you been drinking that morning?—Very little.

940. What time was it when you polled?—From one to two o'clock.

941. After your vote was recorded, was there a discussion about it between the poll clerks and the inspector?—There was a person named Moss there——

942. We will not trouble you about that; after you had voted, did you see Mr. Byrne at any time?—Not on that day.

943. At any time?—Yes, on the morrow morning.

944. What did you say to him, or he to you? I went to him on account of Mr. Powell being out of town.

945. Was anybody with you?—The tailor.

946. Lea?—Yes.

947. Did you see Byrne?—Yes.

948. What did you say to him?—I told him I was come about the money.

949. By the *Committee.*] Where was that?—At the Loan Society Office, Bedford-buildings.

950. Mr. *Powell.*] What did he say?—He said I had better come down on the morrow or Saturday.

951. Did you see anybody else?—No.

952. With Lea?—I saw Marshall in the street.

953. Did you see Lea?—Lea was with me.

954. Was anything said to you then?—No; Lea and me made an arrangement.

955. What for?—To go on the Saturday.

956. And did you go?—

Mr. *Price* objected to the question on the ground that the conversation with Lea was after the witness had voted.

957. Mr. *Powell.*] I will omit the conversation then; was any arrangement made?—There was.

958. What was it?—Mr. Lea and me were to go down on the Saturday morning; I was going to meet Lea at 10 o'clock at his house; I went to his house and saw his wife.

959. Omit that conversation?—He was gone into the town. A party had been up to see him respecting the money.

960. We do not want all that you know; did you after that see a man named Palmer?—Yes.

961. How came you to see Palmer?—I met Lea first; he said he had seen Palmer.

962. Did you and Lea go anywhere?—We went to see Palmer.

963. What took place at Palmer's?—We made an arrangement to meet him at the "Rose and Crown"; we met there.

964. Who met at the "Rose and Crown"?—Palmer, Lea, and me.

965. Tell the Committee what was done at the "Rose and Crown"?—Palmer made out a bill for so much money, by Lea's dictation.

966. What did you hear Lea say to Palmer?—Telling him different sums of money.

967. What sums did he tell?—Me 5*l.*, Lea 5*l.*, Sims 4*l.*, and several other little sums which I could not name; the amount altogether, I should say, was from 15*l.* to 20*l.*

968. When this had been done, did you all go anywhere, or did you separate?—They left me there, and said they must go to Mr. Cockrell's for the money.

969. After they had gone away some time, did they come back again?—Yes.

970. Who came back?—Lea and Palmer.

971. What was done when they came back?—Lea paid me over my money, but he put down 4*l.*, which I refused to take.

972. What did you say?—I said I would not be humbugged in that kind of way; 5*l.* was my demand, and I must have that; upon that Palmer said they had made a mistake and he must go and get some more money. They soon returned, and paid me 5*l.*

973. When they paid you the 5*l.*, was anything said about anything else?—There were different parties; Lea told me that he had got to pay——

Mr. *Price* objected to the question.

Mr. *Powell* supported the question.

974. By the *Committee.*] Were there other people present?—No, no others were present.

The *Committee* were of opinion that Mr. Powell had better confine his evidence to the people there, and the acts done.

975. Mr. *Powell.*] Who was it gave you your money?—Lea.

976. Who brought the money?—Palmer.

977. How much?—From 15*l.* to 20*l.*; I could not state the exact amount.

978. Before you left the room, did they tell you to do anything?—Yes.

979. What did you do?—Made out a bill.

980. Who told you to do that?—Palmer.

981. Was Lea present?—Yes.

982. Did you make out a bill?—Yes.

983. Is that the bill you made out?—Yes.

984. Having made out the bill, did they tell you to do anything?—To go to Mr. Cockrell's.

985. Who is Mr. Cockrell?—He is a saddler.

986. Did you go to Mr. Cockrell's?—A few days afterwards.

987. And take the bill with you?—Yes.

988. I see there is a line struck out there, who struck out that line?—Mr. Cockrell did that.

989. Whose writing is that at the bottom, the last line?—Mr. Cockrell's.

990. By the *Committee.*] In whose handwriting is that document?—My wife's; my name is on the bill.

991. Mr. *Powell.*] You say that the upper part of this writing is your wife's?—Yes.

992. Whose writing are the words, "Received C. Ballinger"?—Mine.

993. Whose is the writing as to the doing of the work?—Mr. Cockrell's.

994. Why did you make out this bill?—Palmer told me.

Mr. *Price* stated, that the bill would speak for itself. He objected to the document,

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ment, on the ground that the bill was made out by the wife.

995. Mr. *Powell.*] You say you went to Mr. Cockrell's?—Yes.

996. When you went to Mr. Cockrell's, did you take this bill with you?—Yes.

997. What did you say to Cockrell, and what did he say to you?—He said, "You are not a voter." I said, "Yes." He said, "Your name is not on the register for the Bath-road." I said, "No, not for the Bath-road, for the Tewkesbury road, 55." He sent across to Mr. Stroud's for the register, but he could not have it. He said, "You had better look down again in the course of a few days." I did so. He says, "I see you are a voter, but I don't know about paying those little bills, we have so many of them." He says, "If you can get any one to sign this, who saw you connected or doing any kind of work, I will pay you. Do you think Mr. Palmer would"? I says, "Yes." Then he says, "I will pay you at once, and you can get Mr. Palmer to sign it, and let me have it at any time." I went to Palmer's.

998. Wait a bit, did he pay you?—Yes.

999. At that interview?—Yes.

1000. You say, that is his writing at the bottom, "witness to his doing the work"?—Yes.

1001. Did you take this bill from him and go anywhere?—I took that bill from him and went to Palmer's.

1002. Were you able to meet with Palmer?—No.

1003. Did you call more than once on Palmer?—On three occasions.

1004. And were not able to see him?—I never saw him.

1005. So that the bill remains the same as you brought it from Mr. Cockrell?—Yes.

1006. By the *Committee.*] Whose is this, "witness to his doing the work"?—Mr. Cockrell.

1007. Mr. *Powell.*] How came they to direct you to make out a bill; did you make any claim?——

1008. By the *Committee.*] The simple question is, from whom did you receive any directions to make out that bill?—From Palmer.

1009. What directions did he give you?—I said, I ought to be paid for my time that I had spent.

1010. Mr. *Powell.*] Did you make any claim for your time?—I asked, whether I could not have something.

1011. By the *Committee.*] Was that paid?—Yes, by Mr. Cockrell.

1012. Mr. *Powell.*] You asked why you should not be paid for your services?—Yes.

1013. Had you given any services?—I had lost some time about it.

1014. Had you done anything?—Not in particular.

1015. Then, in consequence of what passed, the bill was made out?—Yes.

1016. You have not explained why your wife came to make out the bill?—By my directions.

1017. When?—A few days after the election.

1018. Had you got the bill with you when you were at this interview with your wife?—My wife made out the bill, and then I went to Mr. Cockrell's.

1019. You also have been away from Cheltenham some time, I think?—Three weeks to-morrow.

1020. You have been in London, I believe?—Yes.

1021. You left Cheltenham at the request of somebody who wished you to leave Cheltenham?—Mr. Cheshire.

Cross-examined by Mr. *Price.*

1022. Then, it is not true that you made out that bill in the presence of Lea?—No.

1023. You said so; it is not true that you made out the bill in the presence of Lea?—I am not aware that I stated that.

1024. If you did so it was not true: just before I leave that part as to the bill, I will get it a little more clear; as I understood, you took it to Cockrell, and Cockrell said he would not pay you, unless you could vouch somebody who knew that you had performed services?—Yes.

1025. And you vouched Mr. Palmer?—Mr. Cockrell mentioned Palmer.

1026. He said, "Did Palmer know it"? and you said, "Yes"; did Palmer know of any services you had rendered?—I had seen Palmer, and he told me to make out this bill.

1027. You told Mr. Cockrell that he knew of your services; did Palmer know of any services you had rendered?—He knew of my losing the time.

1028. Cockrell asked you about services; did Palmer know of any services you had rendered?—I don't know.

1029. Why did you tell Mr. Cockrell he did?—He knew I had been about, and had been losing time.

1030. Why did you say Palmer knew of services if there were no services rendered, and Palmer did not know of them; why is that; why did you tell Mr. Cockrell that; was it because you thought you could not get your money unless you told him a lie?—No.

1031. Why did you tell him a lie?—It was not a lie.

1032. Were there any services rendered; don't keep us all day?—I consider the same as services; I was about the town.

1033. Then you dictated to your wife what she was to write out?—Yes.

1034. You were called on Saturday; did you know that your name was called out?—I understood so afterwards.

1035. Where were you?—I was gone to the watercloset.

1036. You had been about here all day?—Yes.

1037. And the people on the other side knew it?—Yes.

1038. Just at that time you were not immediately close to the committee-room?—No.

1039. Were you there 10 minutes afterwards?—I should say it was not 10 minutes that I was away.

1040. Where have you been staying in London?—Princes-road, Notting-hill.

1041. With whom?—A person named Barnes.

1042. Who sent you?—It was Barnes took me there.

1043. Where did you meet Barnes?—At Cheltenham.

1044. Who is he?—A Cheltenham man.

1045. What is he, you must know?—He keeps "Birmingham House," in the Bath-road.

1046. What is he?—I think he is a tailor by trade.

1047. Is

1047. Is he a Colonel Berkeley's man?—I don't know.

1048. Did you know him before you went away with him?—Very well.

1049. Did he come and say he would take you away with him?—He came to me.

1050. Did he pay your expenses?—Yes.

1051. Has he been paying your expenses all the while you have been in town?—Yes.

1052. Are you married?—Yes.

1053. Has your wife been paid while you are away?—I don't know.

1054. Is she supporting herself?—I should think she is paid by some one.

1055. Have you any doubt that she is paid by Mr. Cheshire?—I don't know.

1056. Not the least?—Not the least.

1057. Do you think the money dropped from the stars?—No.

1058. You have not formed an idea where the money has come from; did you not take the trouble to inquire how your wife was to be supported in your absence?—Barnes told me she would be.

1059. Barnes told you your wife would be supported if you came away; did he mention the sum she was to have while you were away?—No.

1060. £. 10?—I never heard anything.

1061. He never mentioned the sum at all?—No.

1062. Did you inquire what your wife was to have while you were away?—Yes.

1063. By the *Committee.*] Who told you?—Barnes.

1064. Mr. *Price.*] Had Barnes been a canvasser for Colonel Berkeley?—I don't know.

1065. Was he a voter?—I think he is, but I don't know whether he was a canvasser or not.

1066. Before Barnes came to you, had you been to Cheshire?—No.

1067. Never at all?—Never.

1068. Were you not surprised when Barnes came to you and asked you to go to London?—I was.

1069. Where was it Barnes came to you at?—At my own house; he asked me if I wanted to go for a treat.

1070. Had you before that said anything what you could tell about bribery to anybody?—No.

1071. Not to a soul?—No.

1072. You never mentioned to anybody living what you have told us to-day, before Barnes came to you?—No, I don't say that I did not.

1073. Who had you mentioned anything to?—Mr. Boodle.

1074. That is one of the two agents for Colonel Berkeley?—Yes.

1075. He is sitting here?—There is the gentleman.

1076. You have been to Mr. Boodle, and told him this story which you have told us to-day?—I made a statement to Mr. Bowdell.

1077. Did you tell him all you have told us to-day, or have you only let out a little bit at a time?—I might have told him all I stated here.

1078. I want to know what you did; did you tell him all you have told us to-day?—I think I did.

1079. And then did he say anything about Barnes taking you up for a trip?—No.

1080. Were you not surprised that Barnes came to you?—I was.

1081. What did you say to Barnes; what were you to have?—There was no sum mentioned.

1082. Are you a butcher?—Yes.

1083. Who carries on your business while you are away?—I am a wholesale man.

1084. Who is carrying on your trade?—There is nothing being carried on.

1085. The cattle plague has stopped it, I suppose?—It has had a great deal to do with it.

1086. You were out of business, in fact, at the time?—I was doing a little.

1087. What little there was you have left it to take care of itself?—Yes.

1088. You don't know what you are to be paid, or what your wife is to be paid?—No.

1089. You have a shop?—No.

1090. Where do you do your wholesale business?—I sell things mostly alive, to any one.

1091. You are a cattle dealer?—Yes.

1092. Are you, or are you not?—I does a little in it.

1093. Had you known Lea very well?—Yes, I have known him some time.

1094. Can you write?—A little.

1095. Just tell me whether you recognise that hand-writing (*handing a document to the Witness*)?—I never saw it before.

1096. Have you not the least idea; it is not your writing?—Not the least idea; I never saw it before.

1097. Have you ever directed anybody to write a letter for you about this matter?—Not at all.

1098. That you swear?—Yes.

1099. Do you know Stroud?—Yes.

1100. Have you ever asked anybody to write for you to Stroud?—Never.

1101. Tell me particularly who were present when this *5 l.* was spoken of between you and Lea?—Powell and Byrne.

1102. And Lea?—Yes.

1103. Now, could they all hear what was said?—Yes, I should say they could.

1104. I want to know whether you have told us all; Powell, Byrne, Lea; was Simms there?—He was in the room, not with us.

1105. Where were you?—In a little back room.

1106. Who was in the back room?—Powell, me, and Lea.

1107. Lea was in the room?—Yes.

1108. You are quite sure?—Yes.

1109. Those were the three?—Yes.

1110. Was the door shut?—I could not say.

1111. That was at Alder's?—Yes.

1112. Now, I understand you to say, in your examination in chief, that Lea was not in the room; that Powell said that you must make a bet with Lea, and Lea was not in the room; is that true or not; did that take place at the time the *5 l.* was mentioned about the bet?—Let me hear that again.

1113. You said that Powell said to you, you must make a bet with Mr. Lea; was that the time that he agreed to give you the *5 l.*?—Yes.

1114. You followed that up by saying that Lea was not in the room?—Yes, he was in the room; I am not aware I ever said so.

1115. He said we must take each other's word?—Powell did.

1116. Then Byrne said, "Ballinger, whatever you do with this gentleman will be all right"?—Yes.

1117. And

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1117. And I was to make a bet?—Yes.

1118. You did so?—Yes.

1119. Lea was in the room and Simms not?—Yes.

1120. Are you sure of that?—Yes.

1121. Do you know a man named John Preston, the town crier?—Yes.

1122. Did he canvass you?—Yes.

1123. Did Preston say, I ordered a fly to fetch you?—I don't know.

1124. Did you tell him that the Yellows were after you pretty sharp, and that one of them put a 5 *l.* note in your hand; and told you, if that would not do, you could have another?—No, I never saw Preston myself; I heard him, but I did not see him.

1125. Who was he talking to?—I believe to my wife's mother.

1126. In your presence?—No, he did not see me.

1127. Did you hear what he said; did you not say that the Yellows were after you pretty sharp, "and one of them laid a 5 *l.* note in my hand and said, if that would not do I should have another"?—I never said so.

1128. Did you say, "I will not be bribed; I have always voted Blue, and took the 5 *l.* note and gave it again"?—Nothing of the kind.

1129. Did he ask their names?—I never saw him.

1130. There was a dinner by the Conservatives after the election?—Yes.

1131. The night before the dinner, did you go to John Preston's house?—Yes.

1132. Did you ask if he could get you a dinner ticket?—Yes.

1133. Did he say he would see what he could do?—Yes.

1134. And he found out that you voted for Berkeley, and could not get you one?—Yes.

1135. By the *Committee.*] How long was this after the election?

1136. Mr. *Price.*] Was it two or three months afterwards?—I dare say it was.

1137. Did he promise to get you one?—Yes.

1138. Did he say to you that it was Mr. Hodges, the brewer, who put the 5 *l.* note in your hand?—I never heard anything of the kind.

1139. Did he say it was Mr. Middlemas, the gardener?—I never heard Mr. Middlemas' name mentioned.

1140. Did you say, I promised not to mention his name?—No.

1141. Nothing of the kind?—No.

1142. Have you had any conversation with anybody about the evidence given on Saturday?—No.

1143. Are you living in the same place with Lea?—No.

1144. Is Barnes with you still?—Yes.

1145. Is Barnes here?—He is somewhere in the town.

1146. Is he in the room here, or was he in the room on Saturday?—No.

1147. Was he told to be here?—Yes.

1148. Nobody has read over to you what was said on Saturday?—No.

1149. Or read over to you your own statement?—No.

1150. Or told you what to say?—No.

1151. By the *Committee.*] How much do you earn a week?—Sometimes 5 *l.*; it depends upon what luck I have; one week may differ much from another; one week I may earn very little.

[The Witness withdrew.

Mr. *Powell* wished to call the attention of the Committee to the poll-book, in order to show the note which was made on the vote of Ballinger, and that he did poll for Schreiber.

CHARLES MARSHALL, was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:

C. Marshall.

1152. ARE you a Labourer at Cheltenham?—Yes.

1153. I believe you are not a voter?—No.

1154. Do you recollect the day of the election, last summer?—Yes.

1155. On that day did you go with Tailor Lea to George Powell's house at Windsor-terrace?—Yes.

1156. What time was it when you got there?—About half-past five in the morning.

1157. When you got there what happened, what did Lea do?—Lea knocked at the door.

1158. Did Powell come?—Powell looked out of the window.

1159. And what was said between Powell and Lea?—Powell says, "Oh, is that you, Mr. Lea"? he says, "Yes." He says, "I will be down in a minute"; and he came down in his morning dress and opened the door. Then Powell and Lea had a great deal of conversation together. Powell asked Lea if he would have something to drink. Lee said, "We have been down to Hall's, and have had several pots of cider."

1160. What else did Powell say to Lea?—He said he was to go on, and do all that he could.

1161. What did Lea say?—He said he would.

1162. Mr. *Fitzjames Stephen.*] Where did you go then when you left Powell?—We went up into the Bath-road.

1163. Whose house?—To the "Brown Jug," and had some beer, and from there to Ballinger's house.

1164. Was Ballinger in or not?—He was not in.

1165. Did you afterwards go to Ballinger's again, later?—Yes.

1166. What time?—I don't know.

1167. What part of the day?—In the morning.

1168. What conversation was there between Lea and Ballinger when you went at that time?—Lea asked Ballinger who he was going to vote for; he said he had not made up his mind; he should not vote for either party unless he had the coin.

1169. What did Lea say to that?—Lea said, "You come along with me, and I will see you have it."

1170. Did Ballinger go with him?—Not then, I think.

1171. Did you go to Ballinger's house?—I believe Lea did. I did not go the third time.

1172. After you left Ballinger's the second time, did you see Sims?—Yes.

1173. Where?—In the Bath-road.

1174. What

1174. What did you do with Sims?—Lea asked Sims who he was going to vote for. He said he did not think he should vote for either. Lea said, "If you come along with me, I will see you are all right."

1175. What became of Sims after that?—We went to the "Beehive."

1176. Who is "we"?—Me and Lea.

1177. Who came to the "Beehive"?—Sims and Ballinger.

1178. What happened after they came to the "Beehive"?—They had some conversation, and Lea told me I was to stop there with Sims, while he went down to Ballinger, and where he went I was to go, and if he went away I was to follow him; and I did so.

1179. Follow Sims or follow Lea?—I stayed till Lea came back.

1180. Did Lea come back?—Yes.

1181. What became of you after Lea came back?—When Lea came back he went down with Sims himself.

1182. By the *Committee.*] Did Lea come back alone?—Yes.

1183. Mr. *Fitzjames Stephen.*] And you and young Lea went by another road?—We went down the Bath-road.

1184. Where to?—To Alder's.

1185. Who did you see there?—Powell and Byrne were there.

1186. By the *Committee.*] Was Lea with you then?—No.

1187. Was young Lea?—Yes.

1188. Mr. *Fitzjames Stephen.*] Did you see anybody?—I saw Powell, and Byrne, and Sims, and Ballinger.

1189. What time would that be when you got to Alder's?—I could not say; I should not like to say.

1190. Was it in the morning or the middle of the day?—The morning part.

1191. By the *Committee.*] Who did you see there?—Mr. Powell, and Byrne, Sims, and Ballinger.

1192. All there?—Yes.

1193. Mr. *Fitzjames Stephen.*] Did you say anything to Sims?—Yes.

1194. What?—I asked Sims whether he had voted or not.

1195. Mr. *Fitzjames Stephen.*] What did you say to Sims?—I asked if he had given his vote, and he said No, he had not.

1196. What became of the persons you mentioned; where did you see them go, or see them do?—We had what we thought proper to drink. Mr. Powell, and Sims, and Ballinger had a deal of conversation, but I could not say what.

1197. You did not hear it?—No; I was ordered into another room, and I had some beer to myself.

1198. Who ordered you into the other room?—Powell.

1199. By the *Committee.*] Did you go into a room separate from all the other parties?—Yes, I went into another room; they stood at the bar.

1200. How many rooms were there altogether; were there three or four, or how many?—Well, I think there might be three; I know I was in one, and they were in another.

1201. You were alone in one room?—Yes.

1202. And all the other persons went together into another room?—Yes; Mr. Powell said, "Go in there, and have some beer"; and I went.

1203. You were left alone?—I was alone then.

1204. And being in the room where you were, you could not tell what took place in the other room?—Yes.

1205. And they were together in the other room?—Yes.

1206. Mr. *Fitzjames Stephen.*] Were you driving a pony cart?—Yes.

1207. Did anything happen to the pony-cart in the course of the afternoon?—We lost the shafts; we had the shafts broke out.

1208. Did you mention the breaking of your pony-cart to anyone?—Yes.

1209. Who to?—Mr. Byrne.

1210. It was Lea's pony-cart?—Yes.

1211. Did anything happen to your coat?—Yes; I had it tore up the back.

1212. Did you mention that to anyone?—Yes, to young Mr. Parsonage. I saw him on the night of the election.

1213. What did Parsonage say about it?

Mr. *Price* objected to the question.

Mr. *Fitzjames Stephen* submitted that it was a perfectly legitimate question.

The *Witness* was ordered to withdraw.

The *Committee* decided that the question could not be put.

1214. Mr. *Fitzjames Stephen.*] Were you afterwards paid for your coat?—I never was paid; I was promised.

1215. On the Saturday morning, did you see Lea in the Bath-road?—Yes.

1216. Where did you go with him?—Down into the town.

1217. Who else did you see?—Mr. Ballinger.

1218. Where was Ballinger?—When we saw him?

1219. Yes?—Near the police station.

1220. What became of Ballinger and Lea; did you see them go anywhere?—Yes.

1221. Where?—I saw them go into Mr. Byrne's office.

1222. After they had come out where did you go?—Mr. Lea came to me and told me I was to stop above.

1223. What did you do?—I stayed there.

1224. Did you see them again afterwards?—Yes.

1225. Where did you see them?—Mr. Lea came to me after.

1226. How long after?—It may be two hours, perhaps.

1227. Did Lea afterwards give you anything?—Yes.

1228. How much?—Half-a-sovereign. He said he thought I ought to be satisfied, but I was not, though.

Cross-examined by Mr. *Cooke.*

1229. When you got to Alder's with young Lea, did you go into the room where Powell and Byrne were?—Not the same room.

1230. Was old Lea there?—Yes.

1231. And Sims?—Yes.

1232. And Ballinger?—Yes.

1233. And did young Lea stop there?—Yes.

1234. The two Leas, Powell, Byrne, Sims, and Ballinger?—Yes.

1235. And

C. Marshall.

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C. Marshall.

30 April 1866.

1235. And you were the only one who went into the other room by yourself?—Yes.

1236. You left all those other six men in the other room together?—They were together.

1237. How long do you suppose that you were in that inner room by yourself?—I don't know.

1238. About half an hour, or so long?—It might be ten minutes or a quarter of an hour.

1239. How did you get out of it; were you called in to the other room, or did you go away of your own accord?—I don't know whether I was called out, or what; I should not like to say; I could not exactly say.

1240. Were you in the back room?—One adjoining the bar.

1241. Is that what they call the back room?—I suppose it is the parlour.

1242. Is there any other way out, except that way?—Not that I am aware of.

1243. Your little room is the place leading out of the place where they were?—Yes.

1244. Cannot you tell whether Powell called you back, or how it was you went out of that solitary confinement?—I think, to the best of my recollection, they came in.

1245. Came in to you?—I know Sims came in.

1246. He came in to where you were?—Yes.

1247. What makes you recollect Sims?—I spoke to Sims.

1248. Did he come and have any drink?—Yes, we had what we thought proper.

1249. Who is "we"?—After Byrne and Lea had that conversation, Sims came into the same room that I were.

1250. By himself, or with some of the other party?—I think the Leas came in as well.

1251. Did you join the party, and have what you wanted?—Yes.

1252. And all the party with you?—Yes.

1253. We were not there; we want you to tell us what you recollect about it. Did they all come into the room where you were?—Yes.

1254. Who came into the room where you were, the whole party?—I saw the whole party.

1255. And then they all sat down and had drink very pleasantly?—Yes.

1256. And how long did you stop in that pleasant way, drinking what you like?—I don't know.

1257. I don't want to a minute or two?—Say an hour.

1258. You had been with Tailor Lea to a good many publics that morning?—Yes.

1259. Up all night, first in one public house, and then in another?—Yes.

1260. Yellow and Blue?—Yes; we were not particular.

1261. They were all open on that night of the nomination?—Yes.

1262. And you had whatever you liked to call for?—Yes.

1263. Without paying for it?—I did not pay any of it.

1264. You drank your share?—Yes.

1265. And I should think Tailor Lea had not the money to pay for it?—I could not say.

1266. You did not see him pay anything?—I saw him pay for a drop.

1267. He is fond of a drop, Tailor Lea?—Not particularly.

1268. Everybody is fond of a drop at Cheltenham?—We do like a drop there.

1269. Was he pretty sober at the time you were all at Alder's, the Porter Stores?—Sober, so far as I saw.

1270. He could hold fast to the ground?—Not that.

1271. Could he go through all the day, and half the night, and not be affected?—A man ought to stand a drop.

1272. But these drops were rather a bucket full; what time of the day was it when you were all six together drinking at Alder's?—It might be 11 or 12 o'clock; I had no watch.

1273. You had been out with Tailor Lea all night, in and out of different publics; was the tailor pretty tolerably up to the mark?—Probably, well up to the mark.

1274. Do you know young Mr. Norman, a newspaper reporter?—Yes.

1275. Just before you came into this room, did he speak to you?—Yes, he did.

1276. There he is, is he not (*pointing to the reporters' table*)?—Yes.

1277. He came out of the room and spoke to you just before you were called in?—He told me that I was wanted.

1278. That is the gentleman taking shorthand notes (*pointing to one of the reporters*); he came and spoke to you?—He told me not to go away; not to leave the door.

1279. Were you going away?—No; I merely went and had a glass of ale.

1280. Do you know what that gentleman, sitting there taking notes, has got to do with this inquiry?—No.

1281. You know him in Cheltenham?—I have seen him.

1282. What did he say to you, except that you were not to go away?—Nothing.

1283. Were you going to cut and run?—I merely went to have a glass.

1284. Were you going out of the way?—Not that I am aware of; I merely went along the lobby to get some refreshment.

1285. Do you mean to say that that was all he said to you, that you were not to go away?—Yes.

1286. He said you would be wanted next?—He said nothing, except "Don't go away."

Re-examined by Mr. *Powell.*

1287. When you and he were together at this house, were you able to understand what was going on?—Yes.

1288. Were you drunk?—No, not likely.

1289. Now, my friend asked you whether you had been to a Yellow house that night; had you been to any Yellow house that night?—No; I can tell you the houses we went to.

1290. The Committee will not be interested in knowing the names of those houses; tell me on your oath, do you remember being in any Yellow house on that night?—No, I do not.

Examined by the *Committee.*

1291. What were you paid the half-sovereign for?—For driving.

1292. For driving your cart about?—Yes.

1293. What were you driving it about for?—I suppose Mr. Lea was driving about to catch what he could; I rather expect that was about it.

1294. Who gave you the money?—Mr. Lea paid me.

1295. It

1295. It was for driving Lea about the town during the election?—Yes, driving Lea's cart.

1296. Were you a servant of Lea's?—No.

1297. You were only employed by him for that particular occasion?—That's all.

1298. Did you take voters up in the cart?—Yes, Lea himself drove Ballinger down in the cart. *C. Marshall.* 30 April 1866.

[The Witness withdrew.

ELIJAH SHERMAN, sworn; Examined by Mr. *Fallon*:

1299. ARE you a voter for the borough of Cheltenham?—I am. *E. Sherman.*

1300. Did you vote at the last election?—I did.

1301. Do you know George Powell?—I do.

1302. For whom did you vote?—Colonel Berkeley.

1303. Did you see George Powell before the election?—I did.

1304. Did you see him on the nomination day?—I did.

1305. Where did you see him that day?—At the "Coopers' Arms," Winchcomb-street.

1306. About what time was that?—Some time in the evening; between seven and eight; I could not say exactly.

1307. Did you see anybody with him?—I did.

1308. Who was it you saw with him?—John Lea.

1309. Did you say anything to him?—I did.

1310. What did you say?—I was told they were going up to the "Cooper's Arms."

1311. Never mind what you were told; what did you say?—I said, "This is no place for business."

1312. Mr. *Fallon.*] Did any conversation take place between you, Lea, and Powell?—Decidedly.

1313. What was it you said?—"This is no place for business." I followed them through the bar, and there I blowed up Powell.

1314. What did you say to him?—I told him it was wrong for him.

1315. By the *Committee.*] Did any conversation take place in your presence between Lea and Powell?—No.

1316. Who was present on this occasion; tell us all the people who were present?—A man named Sims sat down in the kitchen, drinking with another man whose name I do not know; Sims was sitting in the kitchen.

1317. Who else were there?—Lea and George Powell.

1318. Were they all in the kitchen?—They passed through the kitchen.

1319. Were they sitting in the room?—Lea and Powell were in the back yard; they did not sit down at all. Sims sat down and had some beer along with another man; the other man I do not know.

1320. Mr. *Fallon.*] Were you present with Powell and Lea in the back yard?—I was.

1321. You heard no conversation between them?—I heard no conversation. They were talking.

1322. You made some remark to them?—I did.

1323. Is that all that took place?—That is all that took place between them and me.

Cross-Examined by Mr. *Price.*

1324. Are you a tailor at Cheltenham?—I am.

1325. Are you the gentleman who went on a tour with Mr. Lea?—No, sir.

1326. Are there two of your name?—I never went on a tower (tour) with him.

1327. I did not say you did; did you go on a journey?—Him and me certainly did walk a little together.

1328. Did you never ride?—Yes, we did a little.

1329. You both walked and rode?—Yes.

1330. For how long a time?—I suppose altogether we were in the train about a quarter of an hour.

1331. Was that all the time you were with him?—Him and me have rode together many times.

1332. Were you not with Lea when he went away from Cheltenham, and went down to Swansea, Bristol, and different places?—I don't know anything about his going to Swansea.

1333. Were you with him at Dudley and Birmingham?—Yes.

1334. How long?—How long?

1335. Yes.—I was with him a few hours.

1336. You were only with him a few hours, were you?—At Dudley.

1337. Did you go to Birmingham with him?—I did not.

1338. Did you go anywhere with him besides Dudley?—I did not.

1339. Did you not find money for him to go away?—Did I find some money for him?

1340. That is the question; did you find any money for him to go away; did you give him any money?—No.

1341. None?—I have given him some.

1342. Did you pay for him to go away from Cheltenham?—No, I did not.

1343. Did you give him any money to go away to Birmingham with?—I have given him money before.

1344. Did you pay him any money to go away from Cheltenham?—I cannot tell exactly.

1345. I do not want exactly; tell as nearly as you can?—I should think altogether 10 *l.* or 12 *l.*

1346. Where did you get it from?—It was my own money.

1347. Out of your own pocket?—Out of my own pocket.

1348. You do not expect to be repaid that money; have you been paid that?—I have not.

1349. Do you expect to be repaid it?—No. I have got one reason to think that I shall. I have never been promised anything.

1350. What induced you to spend 10 *l.* upon Lea?—What induced me?

1351. Yes?—My own hobby.

1352. That was it, was it?—Yes.

1353. What do you mean by its being your hobby to spend money on Lea; have you ever spent money on him before?—Yes, I have.

1354. As much as 10 *l.*?—No.

1355. When did it become your hobby to spend 10 *l.* on Lea?—If I thought proper to

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spend 10 *l.* on Lea I suppose I might spend it out of my own pocket. I will tell you everything I know about it, if you want. There are no secrets with me.

1356. Do you know that Lea was away from Cheltenham for some time?—Yes.

1357. In Wales?—I understood he was gone to Wales.

1358. Then he came back for a night?—Yes.

1359. You went away with him the next day?—I did not.

1360. A day or two afterwards?—I did not.

1361. Did you join him?—I did not.

1362. Did you send him some money to go away the next day?—I did give him some money.

1363. How much?—I'm sure I cannot say how much.

1364. £10 or 12 *l.*?—Decidedly not.

1365. When did you give him the 10 *l.* or 12 *l.*?—I think it was the day before he went away.

1366. I asked you this minute whether you did not give him 10 *l.* to go away, and you said nothing like it; was it 10 *l.*?—I don't know.

1367. Will you swear it was not?—Oh, no, I would not swear it.

1368. You would not swear it was not more than 10 *l.*?—I would not swear it was not more than 10 *l.*

1369. Where had you got that 10 *l.* from?—I could give a cheque for 20 *l.* if I thought proper, I suppose.

1370. By the *Committee.*] Did you draw a cheque?—I did not.

1371. Mr. *Price.*] Where did you get the cheque from?—I gave him the money myself.

1372. Did you draw a cheque?—I did not on that occasion; I had money by me.

1373. And you gave him the 10 *l.* out of that money?—I would not say the amount exactly.

1374. Was it 7 *l.*?—I could not say the amount, not exactly; but I did give him money.

1375. When he was going away?—I did.

1376. That was three months after?—Somewhere about that.

1377. That was when he first left Cheltenham?—Yes.

1378. That was two days after he had been to Mr. Cheshire's to make his statement?—I do not know when he went; whether it was two or three days after or not.

1379. It was within two or three days after he went to Mr. Cheshire's; did you take him to Mr. Cheshire's?—I did not.

1380. You knew he had been there?—I did.

1381. You knew he had been to Mr. Cheshire's?—Yes.

1382. Had you been to Mr. Cheshire's?—I had been there many times.

1383. Had you been to Mr. Cheshire's and learnt that this man Lea was going away?—Lea told me so himself.

1384. But did Mr. Cheshire tell you?—No.

1385. Did not Mr. Cheshire send you down to Lea?—He did not send me down to Lea; Lea came to my house himself.

1386. Had you seen Lea at Mr. Cheshire's office?—I do not think as ever I did in my life.

1387. Will you swear you had not?—I believe; I cannot swear; I should not like to swear positive.

1388. You must remember it; it is not such a very long time ago; will you swear you had not seen Lea at Cheltenham just before he went away?—I will.

1389. Did Mr. Cheshire see you anywhere before Lea went away?—(*The witness paused.*)

1390. Did Mr. Cheshire see Lea at your house?—Mr. Cheshire has seen him often.

1391. Did Mr. Cheshire see Lea at your house?—I think he did.

1392. Then, instead of Mr. Cheshire seeing Lea at his office, Mr. Cheshire saw Lea at your house?—I think he did.

1393. That was so, was it not?—He did.

1394. Was it not then arranged that Lea was to go away again?—I could not say anything about that.

1395. Answer the question to the best of your belief?—I could not say it.

1396. By the *Committee.*] Is yours a beer-shop or a public-house?—Neither; a tailor's shop. Me and Lea has been acquainted for many years.

1397. Mr. *Price.*] You are a very active partisan of the Berkeley party, are you not?—Not particularly.

1398. They hold meetings at your house, do they not?—Never in the world.

1399. And how did Mr. Cheshire come down to meet Lea at your house?—How did Mr. Cheshire?

1400. Yes?—I am sure I cannot say.

1401. Quite by accident, I suppose?—No.

1402. Had Mr. Cheshire ever been at your house before?—I worked for him.

1403. How did he happen to come down while Lea was there?—I am sure I could not say.

1404. Did you send up to Mr. Cheshire to let him know that Lea was at your house?—I could not swear I did or not.

1405. Will you swear that you did not send up to Mr. Cheshire to tell him that Lea was in your house?—I would not.

1406. Have you any doubt now that you did? I ask you upon your oath, have you any doubt that you sent up to Mr. Cheshire to tell him that Lea was at your house, and Mr. Cheshire came down in consequence?—I cannot say whether I did or not.

1407. Do you mean to say that you cannot tell me whether you sent up to Mr. Cheshire to tell him that Lea was at your house, and that Mr. Cheshire came down in consequence?—I had not upon that occasion.

1408. Then, was it your wife that did so?—It may have been.

1409. Was it either you or your wife?—I could not say.

1410. Was there anybody else who could have gone to Mr. Cheshire, but you or your wife?—Yes, the men on the works.

1411. Did you send any man up there?—I did not.

1412. Will you swear you did not?—I will swear I did not.

1413. Did your wife send any man up?—I cannot say.

1414. You cannot say?—I cannot say.

1415. You cannot say whether you did not go yourself?—I may have done.

1416. Have you the slightest doubt that Mr. Cheshire came down to your house because he had been told that Lea was there?—I have not the least doubt about that.

1417. Have you had any conversation with Lea about opening?—Lea came and called on me.

1418. Have you had any conversation with Lea about his opening, as it is called?—Oh, yes.

1419. Did

1419. Did you persuade him to go to Mr. Cheshire's office to open?—Well, no.

1420. But did you?—I did not.

1421. Never?—I never persuaded him to go to Mr. Cheshire's office.

1422. Did you ever say anything to him about going?—Oh yes.

1423. Did you tell him it would be a good thing if he would?—No, never.

1424. What did he say to you when you addressed him?—I said if he knew anything ill or bad in the transaction, the best thing was to make a clean breast of it, and he told me he was not happy in his mind.

1425. So you told him the best way was to make a clean breast of it?—I told him that open confession was good for the soul.

1426. You told him that, and then at last you got him to go to Mr. Cheshire's?—I did not get him.

1427. Did you go with him?—No.

1428. You made an appointment for Mr. Cheshire to come to you?—I did not make an appointment, but Mr. Cheshire did so.

1429. You say you have no doubt he came in consequence of a message?—Not in the least.

1430. How long was Mr. Cheshire in the house?—I could not say.

1431. On your oath?—I cannot say.

1432. An hour?—I could not say.

1433. Was he there two hours?—I could not say. I could not swear to the time, because I did not put it down. I did not look at the clock either when he came in or when he came out.

1434. When did Lea go away after that when you gave him the 10 *l.*?—I could not say that I did give him exactly 10 *l.*

1435. Did you give money to him that night when Mr. Cheshire was there?—I did not.

1436. After Mr. Cheshire had been there?—After Mr. Cheshire had been.

1437. That night?—That night.

1438. How came you to have 10 *l.* in the house then?—I had the money. I do not say I gave him 10 *l.*, because I cannot say the amount. I had more than 10 *l.* in the house.

1439. Will you swear it was not 10 *l.*?—I will not swear, because I do not know that that was the exact sum.

1440. Did Lea ask for any money to go away with?—Well, he said to me, "Sherman, I shall want some money to go away with;" I said, "Well, I will give you some."

1441. He said to you, "I shall want some money to go away with"?—Yes.

1442. And as far as you know, it was true that Lea did want money to go away with?—Well, I don't know.

1443. Was it because he said so that you gave him some?—I believe he had money.

1444. Was it because he said so that you gave him some?—Of course when he told me he wanted money, as I was a friend of Lea's, I lent him some as a matter of friendship. *E. Sherman.* 30 April 1866.

1445. Was it a gift or a loan?—Well, I am to have the money again from Lea.

1446. Was it a gift or a loan?—Well, I lent it to him because, I will tell you the reason why I lent it, because he gave me his I. O. U. for it.

1447. Where is the I. O. U.?—At home, I believe.

1448. You believe?—I know it is. I could show it you if I were at home.

1449. You intend to get it from Lea?—Well, that's another thing.

1450. Do you intend to get it from Lea?—That's another thing.

1451. *Chairman.*] You must answer the question. Whom do you expect to get the money back from?—I don't know, more than I have no expectation of getting it from any one.

1452. Mr. *Price.*] The question is not whether you expect to get it back; but the question the honourable Chairman asks is, whom do you expect to get it back from?—I cannot say.

1453. By the *Committee.*] Are you in the habit of lending money with no expectation of getting it back?—I have lent money before now.

1454. You expect some one to pay you this?—Some one may pay it.

1455. Who do you expect to pay you?—I don't know.

1456. You must expect some one to pay you the money back again?—There is a gentleman there, if he likes to pay me back.

1457. Pray answer the question. You profess to be a respectable tradesman coming here to give evidence; why do not you answer the questions that are put to you? Has Mr. Cheshire given you any money yet?—No.

1458. Who do you expect to pay you?—I don't know who will pay me, whether Mr. Cheshire will pay me or not.

1459. Who are the gentlemen whom you expect to pay you?—There is Mr. Dangerfield, one is.

1460. Mention their names?—There are several others.

1461. Why cannot you mention them?—There is Mr. Boodle the attorney.

1462. Anybody else?—Nobody in particular, that I am aware of.

1463. Would you have given that money if you had not seen Mr. Cheshire first?—I should.

1464. On your oath?—On my oath, if I knew Lea wanted it to go away.

Mr. *Powell* stated he had nothing to ask in re-examination.

[The Witness withdrew.

CHARLES O'BRIEN was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

1465. Is your name Charles?—It is.

1466. Are you a Tailor residing in Regent-street, Cheltenham?—I am.

1467. Do you know George Powell?—Well.

1468. What house does he travel for?—A Huddersfield house.

1469. What is its name?—Stott & Co.

1470. Had you had communications with him on account of that firm?—I had.

1471. I don't know whether you owed the firm any money or not. Did you owe the firm any money?—A little. *C. O'Brien.*

1472. Do you remember previous to the last election Powell coming to you?—Yes.

1473. How many days before the election was it?—Ten or 12 days, I should think.

1474. What did he say to you?—We of course came in contact.

1475. Mr. *Powell.*] What did Powell say to you?—

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you?—Upon the first occasion the conversation did not amount to much.

1476. Give us the conversation, and we will judge of that?—He merely said he did not know which way he should vote, both parties wanted him.

1477. Did he first of all ask you whether you had a vote?—Yes.

1478. Now come to that conversation?—I told him not.

1479. What did he say?—He asked me if another person had a vote, whom he named.

1480. Before he did that, when you told him you had not a vote, did he say anything?—He came and asked me if I had got a vote.

1481. You said, No; what did he say upon that?—He ran over a list of two or three names whom he thought were voters.

1482. What I ask you is this; what answer did he make when you told him you had not got a vote?—Well, he said he wished I had, for he could manage it all right for a little amount.

1483. What amount?—I believe that was left open at that time.

1484. Was any amount mentioned?—No, not on that occasion.

1485. Tell the Committee what he said?—You are speaking about the preliminary.

1486. Attend to me. You have told us that he asked you if you had a vote?—Yes.

1487. You said, No; I now want you to tell the Committee what he said to you when he said that?—Upon that occasion he merely ran over the list of the different parties who might have votes, and asked me if I thought a certain amount of money would be of service. One of the persons he had named was Jenkins. This man is a voter that we are speaking of.

1488. You say he mentioned the name of Jenkins?—Yes.

1489. Upon his doing that, what did you say?—He said, "Do you think a fiver, or a little amount of that sort, would be a benefit to him," I said, "No; if it was even mentioned to him, he would rise the town up."

1490. What did he say further?—He said he would go and see him himself, but he was afraid of seeing the old woman, meaning his wife.

1491. I suppose she is a good Yellow?—Yes.

1492. Did he tell you to do anything?—Not on that occasion.

1493. Did anything more pass on that occasion?—No.

1494. When did you see him next?—The next day; I saw him on that occasion, and he said he was going to work for a party who, I presume, was a Conservative party, but no name was mentioned.

1495. What did he say to you?—If I knew any chaps that wanted a bit of stuff, he says, "we can buy some for them." I says, "What commission can you give?" He said, "Oh, we should be liberal."

1496. Well?—He says, "What do you think you can do?" I said, "What names do you want?" He said, "He was open to any number." I said, "I can get you 20 a week."

1497. What did he say to that?—It was left at that; that I was to do the best I could.

1498. Were any terms mentioned?—No; I think it was left open then.

1499. Tell us, O'Brien, what took place?—That was the whole on that occasion.

1500. When did you see him again?—I see him again on the 10th, a few days prior to the election.

1501. Tell us what took place then?—A gentleman who was in the shop saw me, and went up to the second door, and beckoned me out.

1502. Who did?—Powell. He says, "Have you got any ready." I says, "Yes, I have got 20 ready."

1503. Well?—He says, "When can I begin with them." I says, "I am your slave; any time you name I am ready for you." He named half-an-hour. He says, "All right." I went down to Beecroft's, and saw a man named Baird.

1504. Is that William Baird?—Yes.

1505. Is Beecroft's where Baird works?—Yes, I says, "The man has come you have been so anxiously looking for; when will you see him." He said, "In half-an-hour." I told him in half-an-hour he would be in my place. He said he would be up there in a few moments, and afterwards he sent an errand boy from the shop up to my shop, to say I was to come down to him, because he said the arrangement would be inconvenient to him, because he could not leave his shop very well; I was to bring Powell down to him. I came up the High-street, and saw Powell speaking to two or three parties within sight of my shop, and as soon as he saw me he left the parties. I then took him to Mr. Beecroft's.

1506. By the *Committee.*] Took who?—I took him to Mr. Beecroft's, and introduced him to the man.

1507. Mr. *Powell.*] What man?—Baird.

1508. Now tell us what conversation passed. When you introduced Powell to Baird, what took place?—I says, "I have brought the man that will give you the dust down for a certain thing.

1509. Well?—They had a conversation together.

1510. Well?—Powell fenced a little with him. He spoke about loans, and one thing and another. They spoke together, there was nothing settled; but it was proposed that six o'clock that evening was to settle the bargain.

1511. Well?—They came out together.

1512. Did Powell say anything when he came out?—Yes, a little.

1513. What did he say?—He said, "It will be all right, Charley," alluding to the money, but he says, "I must know how I can give it." He left me, and went across towards the Colonnade.

1514. Did you see where he went to?—Yes; he went across to the Colonnade.

1515. To what place?—I don't know.

1516. Just attend, O'Brien; do you know Mr. Stroud's office?—I do.

1517. Where is that?—Just where he went across.

1518. Did you see him go into that office?—I did not; I saw him going towards there.

1519. Did you see him afterwards?—I did.

1520. Where did you see him afterwards?—At my shop.

1521. What time was that?—That might have been somewhere near one o'clock.

1522. What did he say then?—He came for another name.

1523. What did he say?—I told him I would go and see a party, and prepare him for him.

1524. There was an appointment made for you to meet again?—Yes; I was to meet him in St. Mary's churchyard.

1525. After that, did you go and see anybody else?—I went to a man of the name of Stamp.

1526. What

1526. What did you say to him?—I gave him an idea that this party——

1527. Tell us what you said to him?—I told him that the party that was out for the Conservative party would call and see him. Of course he demurred a little, and at last he agreed to see him; I came back to the churchyard; I was rather long, and I did not meet him.

1528. Tell us what passed between you and Stamp; you have been examined about this matter, you know; what passed between you and Stamp?—The 5 *l.* was mentioned.

1529. Who mentioned 5 *l.*?—I mentioned 5 *l.*

1530. What did you mention about 5 *l.*?—On account of the other man wanting 5 *l.*

1531. What other man?—Baird; the first man being a precedent, of course I took it as 5 *l.*

1532. What did you tell Stamp about it?—I told him the party had paid it all right, and at first he said he would not for any amount of money; afterwards he agreed to see him.

1533. By the *Committee.*] To see whom?—Powell.

1534. Mr. *Powell.*] You missed your appointment in the churchyard with Powell, but you saw him afterwards?—Yes.

1535. At your own shop?—Yes.

1536. Did Powell come to you there?—Yes, I gave him the information.

1537. What did you tell him?—I gave him the person's address.

1538. Whose address?—Stamp's.

1539. Did you tell him what had passed between you?—Yes.

1540. Do you remember a short time after that Powell coming to your shop again, when a Mr. Williams was with you?—That was the next morning.

1541. Now, tell us about that; who is Mr. Williams?—A solicitor.

1542. In the town?—Yes.

1543. Was he talking to you when Powell came the next morning?—He was; he was in the shop.

1544. Is he Blue or Yellow?—He was a man on the Liberal committee.

1545. What took place when Powell came and saw Mr. Williams?—He was coming into the shop; I believe he saw him, but he seemed to make a feint like, and went back again.

1546. Did he come into the shop after Williams had gone?—No.

1547. I do not mean immediately, but after Williams had gone, did you see Powell again?—I saw him walking in High-street, talking to two or three parties, and when he saw me, he left those two or three parties, and came across to my shop, and returned to my shop with me.

1548. What did he say to you?—He talked about whether I was going to sell him.

1549. Tell me what he said?—I think he said, "Charley, you are not going to sell us."

1550. What did you say?—I said, "I have had many transactions with you altogether, and could have sold you before; have I ever done it yet?"

1551. What did he say?—He seemed a little tranquil then.

1552. Well?—He left the shop; I don't know whether it was the same evening or the next morning when he called again.

1553. What did he say then?—He told me that he had heard the committee had decided that not a penny was to be loosed on either side, and, for that reason, I had better tell those parties that everything was broke off.

1554. Well, did he say anything more then?—Nothing further then; he called again some few days after, and said he should go round and use a little argument with the parties if I would give him the names; I told him, certainly not, as he had stopped the money, I should stop the names.

1555. When did you see him afterwards?—I think on the evening of the nomination.

1556. What took place then?—He then spoke to me about this Jenkins the tailor; he said, "Do you think you can keep Tom back for 10 *l.*"

1557. What did you say?—I says, "I will get him in a position that you can."

1558. Did anything more pass between you?—He says, "Will you do it?" I says, "Certainly not."

1559. Well?—I says, "The most I will do, will be to make him jolly drunk."

1560. Did anything more pass?—I think that was all.

1561. Have you seen Powell since the election?—Yes.

1562. What passed between you then?—(*The Witness paused.*)

1563. Come, out with it, my man, what passed?—(*The Witness still paused.*)

1564. Now, come; now tell us, O'Brien; don't keep us all day, but tell us what passed?—I have seen him on many occasions.

1565. Tell us what has passed in this matter?—Well, I don't remember anything particular that passed.

1566. We will judge whether it is particular when you have told us; have you talked with him about this matter; about Baird and Stamp since the election?—No.

1567. Not at all?—No.

1568. What has passed between you about the election?—There was a little; he said to me once, that he thought he had fallen out with the party, and thought he could open a little.

1569. Who?—Powell.

1570. Tell us what he said?

Mr. *Price* objected to this evidence.

The *Chairman* stated the Committee were of opinion that this could not be gone into.

Cross-examined by Mr. *Price.*

1571. Are you in work now?—Yes.

1572. When did you open, eh; that seems to be a favourite expression at Cheltenham?—When did I first give evidence about this?

1573. When did you first open; when did you put the door a-jar a little?—Somewhere about the same time as I closed with the others.

1574. When did you close with the others?—When I found there was to be no money.

1575. Then you opened to the other side; I hope you have been more successful with them?—Not much.

1576. Have you closed with them; have you seen Cheshire?—I have.

1577. Several times?—Several times.

1578. About opening?—No, sir, nothing about opening.

1579. What have you seen him about?—Oh, various things.

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1580. About the election?—Yes, I have seen him about the election.

1581. About what passed between you and Powell?—Yes.

1582. Did Mr. Cheshire wish you first to go to him, or was it you that opened to him?—Well, him and me are very intimate.

1583. You are very intimate with Mr. Cheshire?—Very.

1584. Did you pass the evening at his house over a friendly glass?—Oh dear, no.

1585. Where was it; at his office?—Yes.

1586. Did you go to him to offer yourself, or did he send for you?—He had been in my place many times.

1587. Does he employ you?—No, he is my landlord.

1588. When did you first say anything to him about what passed between you and Powell?—It might have been a week after the election.

1589. Was Baird there?—Then?

1590. Yes?—Certainly not.

1591. Was Baird ever in your house when Cheshire was there?—Yes, sir.

1592. Now, let me see; do you remember Mr. Cheshire asking Baird for his vote?—I don't know that he did.

1593. Just try and recollect; just open to me a little?—I think he said, "Shall you be with us?"

1594. Did Baird say, "There is 3*l.* owing from the last election, and, if it is paid, I will vote for Berkeley"?—I don't know the amount; I know there was something between them.

1595. I knew you would open at last; did Baird say he wanted some money for the last election, and, if he got it paid, he would vote for Berkeley?—I know there was an altercation of some sort.

1596. Did Mr. Cheshire say, "You must come down and see me at the office"?—I cannot exactly tell whether he said that or not, for I never listen to gentlemen when they are talking.

1597. Gentlemen of what sort; Mr. Baird or Mr. Cheshire?—Both.

1598. How came you to listen so much to Mr. Powell; you have told us yourself that you have listened to him?—He was directing his discourse to me.

1599. Now I must see if I can refresh your memory; do you know that Baird did go to Mr. Cheshire's office three or four times, and Mr. Cheshire never was to be seen?—I don't know it; he told me he had.

1600. Did he tell you he was very much annoyed about it?—I never see the man, but he is always annoyed about something or other.

1601. He is always in an unhappy state of mind; did he say he had a good mind to vote for Schreiber, if he got nothing for it, to spite Cheshire?—(*The Witness paused.*)

1602. Now come?—(*The Witness still paused*).

1603. Now, O'Brien, open?—I have no memory.

1604. You have a very good memory for some things; do open; did he not tell you he was so annoyed at Cheshire having brought him down to his office and not seeing him, that he had a d——d good mind to vote for Schreiber, even if he got nothing for it?—I don't think he is a man to swear like that.

1605. Very well, we will leave out the swearing; did he say, "I have got a good mind to vote for Schreiber, even if I get nothing for it"?—I don't think he would throw his vote away.

1606. Did he say he had a good mind, in consequence of Cheshire's conduct, to vote for Schreiber, even if he got nothing for it?—(*The Witness paused.*)

1607. Now, come, O'Brien?—I have no recollection of it.

1608. Will you swear he did not?—No, he might have said so.

1609. Since the election, did Cheshire go down and buy a new hat of Baird?—I don't know.

1610. Did not Baird tell you so?—He did.

1611. Now with regard to Stamp, did you ever see Cheshire and Stamp together?—I did.

1612. Did Stamp tell Cheshire that if he gave him 7*l.* he would give him all the information about being bribed?—(*The Witness paused.*)

1613. Come, open, open, open, Mr. O'Brien; you had better make a full confession of it?—No, sir; no, certainly not.

1614. What do you take such a long time to consider for, when you are quite sure about it?—I was quite sure of one portion and not the other.

1615. What portion are you sure of?—The word "bribed" I was stopping at.

1616. Tell us what you recollect, what Stamp said to Cheshire?—He said he would give every information for 7*l.*

1617. Did Cheshire say, "Before giving you any money, I must have some idea what information you can give"?—I never heard him speak a word.

1618. What did Cheshire say when Stamp said he would give every information for 7*l.*; what did Cheshire say?—(*The Witness paused.*)

1619. Did he say he would, or he would not?—Well, they talked a long time together.

1620. Did he tip him a wink?—I cannot say.

1621. Did you not see Mr. Cheshire tip him a wink?—I am sure I don't know.

1622. Eh?—I was not looking straight at him?

1623. They had a long talk together about this 7*l.*?—No, he had only been asked once.

1624. What was all this long talk about; you say Stamp is a man you would listen to?—I think Mr. Cheshire thought he was uneasy in his mind.

1625. He was trying to give him relief, was he?—Yes.

1626. And promised him 7*l.* to relieve his mind?—No.

1627. Eh?—No.

1628. By the *Committee.*] Did he promise him 7*l.*?—No.

1629. Mr. *Price.*] You are sure of that, are you?—No, certainly not.

1630. Did he say, "I must have some idea what information you can give"?—(*The Witness paused.*)

1631. Did he say, "Let us know what sort of stuff you can give us"?—He was rather anxious to know what the man did know.

1632. Did Stamp say, "I had a ton of coals, but who by I cannot say"?—He said he had two tons.

1633. He said he had two tons of coals, but who by he would not say?—(*The Witness paused.*)

1634. Did Stamp say that?—Yes.

1635. Did Cheshire say that would not do for him?—He told him he had potatoes.

1636. Did Cheshire say that would not do for him; did he say he must tell him more than that before he could pay him?—There never was a word about paying spoken.

1637. Never

1637. Never a word about paying?—No.
1638. Seven pounds had been mentioned, you say?—He had said 7 *l.*
1639. Did you vote at the last election?—No.
1640. Did you at any time say that you could give information to the Blue party as to the way in which this case was to be got up?—No.
1641. What?—No.
1642. Never?—No.
1643. Nothing of the kind?—No.
1644. Eh?—No.
1645. Are you certain of that?—Yes.
1646. Have you been away from Cheltenham?—No.

Re-examined by Mr. *Powell.*

1647. Has anybody examined you on the other side about this matter?—No.
1648. Has anybody taken down your evidence?—No.
1649. Eh?—No.
1650. Have you had any conversation with Mr. Stroud?—No.
1651. Or with Powell?—Or with Powell.
1652. Has Powell examined you as to what you know about this matter?—Well, he has spoke a little.
1653. Have you made statements to him?—Well, a little.
1654. Did he write down what you said to him?—Very likely he might have taken a short note.
1655. Did he compensate you for your trouble?—He did.
1656. What did he give you?—(*The Witness paused.*)
1657. What did he give you; come, out with it; was it something liberal?—(*The Witness paused*).

The *Chairman.*] Answer the question.

1658. Mr. *Powell.*] How much?—I think altogether about 21 *l.* 10 *s.*
1659. When was this; when was it that he gave you the money?—(*The Witness paused.*)
1660. When did he pay you any money last; come, you tell us?—I think last Saturday night.
1661. In London here?—Yes.
1662. How much did he give you last Saturday night?—Ten.
1663. £. 10?—No.
1664. Ten what?—Ten shillings.
1665. Last Saturday night?—Yes.
1666. Where was that?—In the Strand.
1667. Who was with you?—No one.
1668. How came you to be in the Strand?—(*The Witness paused*).
1669. How came you to be in the Strand with Powell; tell us all about it, O'Brien, come?—(*The Witness paused.*)

The *Chairman.*] Answer the question.
The *Witness.*] By appointment.

1670. Mr. *Powell.*] Where did you make the appointment?—In the House.
1671. In the Lobby here?—Yes.
1672. What did he say to you?—He wanted to see me.
1673. What for; come, out with it?—(*The Witness paused.*)

The *Chairman.*] Go on, answer the question.

The *Witness.*] I was to fly it light over the job.

1674. Mr. *Powell.*] What more did he say; come, tell us all about it, O'Brien?—There was not much of it.
1675. Now come, brush up your memory?—

The *Chairman.*] State what took place.
The *Witness.*] On which interview, the last interview?
The *Chairman.*] Yes, the last interview in the Strand.

1676. Mr. *Powell.* Come, out with it, my man?—I was to put him straight over the little matter as to how the matter was going on, etcetera, etcetera.
1677. Did you see him with anybody else on Saturday?—No.
1678. Mr. Cheshire?—No.
1679. Saturday night?—No.
1680. Did you see him yesterday?—No.
1681. Just recollect?—No, not yesterday.
1682. Have you seen him this morning?—Oh, yes.
1683. Where did you see him this morning?—Just outside.
1684. Before you came in here?—Since I came here.
1685. But before you came in here?—No.
1686. Did you speak to him outside this room?—Yes, I saw him just before I came into the room.
1687. Did he give you anything then?—A glass of porter.
1688. Anything in it?—(*The Witness paused.*)
1689. Come, O'Brien?—Nothing at all.
1690. Eh?—Nothing at all.
1691. Did he give you anything with it?—Nothing at all.
1692. You have said 21 *l.* 10 *s.*, when was the 21 *l.* 10 *s.* given?—In his own house; two tens in his own house.
1693. When was that?—(*The Witness paused.*)

The *Chairman.*] Answer the question.
The *Witness.*] It was within these three weeks.

1694. Mr. *Powell.*] Were both the tens given at the same time?—No.
1695. When was the last ten given?—I think it was the 21st.
1696. The 21st of this month?—Yes, the 21st of this month.
1697. Who was present?—No one was present.
1698. Did you make a statement on that occasion?—No one ever heard anything of it; he showed it to another party that he was going to give it me.
1699. Who was the other party?—I sent my son to ask if he had got the stuff ready.
1700. Who was the other party?—My son.
1701. What was it he showed your son?—£. 10.
1702. What passed when he showed your son the 10 *l.*?—He said, "We will make it up 70 *l.* if you behave right."
1703. Go on; what else passed?—That is all.
1704. When did he give you the other 10 *l.*, the first 10 *l.*?—The first 10 *l.* would be about the 14th, on or about the 14th.
1705. Where was that?—At his own house.
1706. How came you to be there?—By appointment.

 1707. Was

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1707. Was there anybody there besides him and you?—Yes, Mr. Byrne.

1708. What took place then?—They wanted certain business done, and I told them I would do it for them nicely.

1709. What was the business?—They wanted information how it went on, and I was to keep a few little words back in my evidence.

1710. When?—I cannot tell when.

1711. They gave you 10 *l.* to do it?—That was 10 *l.* down, and 10 *l.* again as soon as I gave them a little bit of the right tip of what they wanted, and the other is to be at the issue of the election.

1712. You mean the Committee; I suppose the issue of this inquiry?—Yes.

1713. You mentioned 21 *l.* 10 *s.*, when was the 1 *l.* given?—I think I am wrong, 20 *l.* 10 *s.*

1714. Then I suppose that is the explanation; my friend knew all that you were going to say. You heard my friend ask you whether you had not said this, that, and the other before?—Yes.

1715. What is Baird; have you seen him; this Baird whom you have been talking about?—Yes.

1716. Where have you seen Baird?—Outside.

1717. Who have you seen him with?—No one.

1718. Eh?—No one.

Examined by the *Committee.*

1719. How was this money paid you?—In sovereigns.

1720. Who was present when it was paid?—The first was paid me with no one present. The next was paid me, but he showed it to a third party prior to giving it to me.

1721. The third party was your son, I think?—Yes.

1722. Why did he show it to him?—I sent him to know whether he had got the stuff ready. I said I would be up by appointment, but he must have the stuff ready. He showed it to him; he says, "Here it is; I have got it ready."

1723. Were you present when he showed it to him?—No.

1724. You do not know anything about it yourself?—I don't know anything about it further than my son came back, and told me it was all right.

Mr. *Price* requested the Chairman to ask the witness whether he acknowledged himself to be a person who would take money for his evidence from either side.

The *Chairman* stated that Mr. Price might put the question.

1725. Mr. *Price.*] Is that what you mean to represent Mr. O'Brien?—Certainly not.

1726. By the *Committee.*] When did you come to London first?—On Friday.

1727. What did you mean when you said you were given this 20 *l.* 10 *s.* to fly light over the matter, and behave yourself well?—It was in giving evidence.

1728. To behave yourself well in giving evidence?—The word "Committee" I was not to make use of.

1729. You said you were to fly light over the matter, and behave yourself well?—Yes.

1730. Did that mean that you were to keep back part of your evidence?—Yes.

1731. You took that to keep back some portion of your evidence?—That was what it was given for.

1732. You agreed to receive it?—I received it of course; but I did not intend to do it none the more.

[The Witness withdrew.

William Baird, sworn; Examined by Mr. *Fitzjames Stephen.*

W. Baird.

1733. Do you live at Allen Lodge, in Cheltenham?—I do.

1734. Are you a hatter's clerk?—I am.

1735. Do you know a man of the name of George Powell?—I do.

1736. Did you see him a little before the election at Cheltenham?—I did.

1737. What time?—In the morning, the forenoon.

1738. What day of the week?—I don't know exactly; it was the early part of the week; I could not name the day.

1739. The election was on Wednesday; was it on Monday or Tuesday?—I think it was the week prior to the election.

1740. Did you have any conversation with him about the election?—I did.

1741. What was that; what did he say to you?—Excuse me, I could scarcely say what he did say; he came into the shop, and asked me if I wanted to borrow some money.

1742. By the *Committee.*] Who was this?—Powell. I smiled; I said I should be very glad of some money.

1743. Mr. *Fitzjames Stephen.*] What did he say then?—I could hardly make him out, what he meant; he said something, but I could not understand what he meant; he went out again.

1744. Did you have any further conversation with him?—Not that day.

1745. When did you have any further conversation with him?—He came once more afterwards, but he never asked me for my vote.

1746. What was said when he came a second time, and did not ask you for your vote?—Similar to the first, but I cannot tell you what really passed.

1747. Just try and recollect yourself, when he came a second time?—He came back; he did not ask me for my vote the second time.

1748. What did he say; what did he ask you about?—He asked me whether I wanted any money; I told him of course I did; but he did not offer me any money.

1749. Well, what more did he say; what more passed?—I believe he left the place then, without saying anything more.

1750. When did you see him again?—I did not see him afterwards.

1751. Not before the election?—I don't think I did; I don't remember seeing him; I may have seen him afterwards, but I do not remember it.

1752. Will you swear you did not see him before the election. You saw him twice before the election, and he asked you whether you wanted any money; did he ask you anything else before the election?—I believe not; he was only two or three minutes in the shop.

1753. Did he ask you to vote for Mr. Schreiber?—He did not.

1754. Did

1754. Did he say anything about voting?—He did not.

1755. Did he follow up the conversation about money in any way whatever?—He said, what he had to do was on his own account; he did not belong to any party.

1756. On your oath, did not Powell come, and ask you to vote for Mr. Schreiber?—I don't remember.

1757. When did you say in the first place you did not remember it?—I say so now.

1758. Had you ever seen him before, except on these two occasions when he asked you about wanting money?—I never spoke to him before.

1759. All the conversation was, that he came to you, and asked you whether you wanted any money?—A man brought him to me, and introduced him to me.

1760. Who introduced him to you?—A man of the name of O'Brien.

1761. Had O'Brien spoken to you on the subject lately?—He told me beforehand, if I wanted any money he thought there was some to be had.

1762. Who did he say money was to be had from?—He did not tell me.

1763. Powell came, and asked you if you wanted any money, and you said "Yes." Did not O'Brien tell you that he would bring you money?——

1764. Mr. *Fitzjames Stephen.*] When was it you saw O'Brien about this; how long before you saw Powell?—I knew O'Brien very well.

1765. When did O'Brien and you have this conversation about your being able to get money if you wanted it?—It was a day or two before I saw Powell.

1766. When Powell came, he asked you whether you wanted money, and you said "Yes"?—I smiled; I said I should like some money very well, but he did not offer me any money.

1767. Will you swear that no other conversation took place between you and O'Brien about your vote?—I do not remember anything beyond that.

1768. Will you swear that you did not see him at all before the election?—See who?

1769. Powell?—I saw him before the election.

1770. Did you speak to him when you saw him?—Only two or three times that he came into the shop.

1771. You do not remember that he said anything to you about your vote?—He did not.

1772. Why do you tell me sometimes that you do not remember, and sometimes that he did not ask you for your vote?—I do not remember his asking me for my vote; I do not believe he asked me for my vote.

1773. Did he not ask you to vote for Mr. Schreiber?—He did not; not that I remember.

1774. Might he have asked you, and you have forgotten it?—If he asked me the question, I should have remembered it.

1775. Did he say anything to you about how you were going to vote?—No, he did not.

1776. How have you generally voted?—I always voted for Colonel Berkeley, and should have done so.

1777. Who did you vote for upon this occasion?—I voted for Mr. Schreiber, but I should have voted for Colonel Berkeley.

1778. Why was money mentioned to you?—I do not know why it was mentioned to me.

1779. Why did Powell say to you that you would be able to get money after what O'Brien had said to you?—I did not ask for any money for my vote.

1780. Why did you tell him you should be glad to get money?—Because I wanted money very badly.

1781. Now you have thought a little more about it, do you remember whether anything was said about your vote?—I do not believe it.

1782. Why do you not speak positively?—I cannot speak more than I do.

1783. I want you to speak all you do know?—I will tell you all I do know about it.

1784. Did you see what became of Powell after he left your shop?—I did not.

1785. Did you see where he went?—I did not.

1786. Did he ask you to go with him anywhere?—He did not.

1787. Did he tell you he would make it all right?—No, he did not.

1788. You are quite sure about all that?—I am quite sure about all that.

1789. Are you quite sure whether he asked you about your vote or not, or do you still persist that you do not remember?—I do not remember it.

1790. Is it your habit to talk to people who come into your shop, who are perfect strangers, and ask you whether you want money; were you ever asked so in your life before?—No.

1791. Nor since?—Nor since then have I been asked the question.

1792. Did not that strike you as a remarkable thing for a man to call, and ask you if you wanted money?—It did strike me as rather remarkable, certainly.

1793. Do you mean to say, on your oath, you did not follow up the conversation by asking him what business it was of his, or anything of that kind?—It was not long that he was talking with me; he was not more than three or four minutes in the shop.

1794. Do you mean to swear that nothing further passed, except that he went into the shop, and asked you if you wanted money, and then went out?—He might have said something else, but I cannot recall it to my mind.

1795. Just think a little of what else he did say to you, come?—It is impossible for me to tell you what I do not know.

1796. You can remember a good deal; come, freshen up your memory?—I will tell you the reason candidly why I voted against Colonel Berkeley.

Chairman.] We do not want reasons; you are here only to answer the questions asked of you.

1797. Mr. *Fitzjames Stephen.*] Had you not promised Colonel Berkeley your vote?—No.

1798. Not personally?—No, not personally.

1799. By the *Committee.*] You were asked what the conversation was that took place between you and Powell in addition to what you have stated?—I do not remember anything else.

1800. You do not remember what it was about?—No.

1801. Was it about the election at all?—I remember his saying that what he did was on his own responsibility.

1802. What was he doing on his own responsibility?—I do not know what he was doing.

1803. What did he refer to?—He did not refer to the election, but I fancied, of course, he came on that.

1804. Was the election mentioned in any way?—Not at that time.

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1805. At what time was it mentioned?—I do not remember that it was mentioned at all.

1806. Mr. *Fitzjames Stephen.*] You had two conversations; was the election mentioned at the other time?—I cannot say that it was.

1807. Can you say that it was not?—I cannot say that it was not.

1808. A moment or two ago you positively swore that it was not; will you be good enough just to try and recollect whether it was or not?—I do not remember.

1809. You are quite sure that the vote was not mentioned, but you are not quite sure whether the election was mentioned?—I don't believe it was; but he was not there more than three or four minutes.

1810. What did he say the second time?—I think O'Brien brought him in. I know he brought him the first time.

1811. What was said when they came in?—He said——

1812. Who?—O'Brien brought him in.

1813. What did Mr. O'Brien say when he came?—He said this: "Mr. Powell;" and then Mr. Powell said what I have repeated.

1814. Just repeat it again?—He asked me if I wanted money. I smiled, and said, "I should like to have some money very well."

1815. What happened next?—He said, mumbling, that he was responsible for what he was doing; "I am not connected with anybody;" I remember his saying that.

1816. When he said that, what was said next?—I cannot remember; I think he went away then.

1817. You have remembered a sentence or two, you see, since we began, about his acting on his own responsibility. What was the thing that was done on his own responsibility?—I don't know what he meant by that; I did not ask him what he meant by that.

1818. Did you not ask him what he meant?—No, I did not. I concluded in my own mind that he came about the election.

1819. Did you go at any time to Mr. Stroud's?—Mr. Stroud's?

1820. Yes?—Before the election.

1821 Yes?—I don't remember going there. I think I went on one occasion on business for the shop.

1822. Did Mr. Stroud at any time come to you?—Yes; he was at my house.

1823. Before the election?—Yes.

1824. Had you seen Powell before that?—I had.

1825. Had Powell said anything about sending Mr. Stroud to you?—He did not say anything about sending Mr. Stroud to me.

1826. What did he say about Mr. Stroud?—Nothing.

1827. He did not mention him?—Mr. Stroud came on his own account to me, I believe.

1828. Had Powell said anything about Mr. Stroud before Mr. Stroud came?—On one occasion Powell said, "Will you go across to Mr. Stroud's office?" I said, "I cannot leave the shop."

1829. Was that at the second of the two conversations you have mentioned, or the first?—I think that was in the street; I met him at the door, or something in that way.

1830. What were you to go to Mr. Stroud's for?—I don't know, I am sure. I went the first thing, I believe, on business belonging to the shop.

1831. Powell had nothing to do with the business of the shop. What were you to go to Mr. Stroud's for?—I did not go to Mr. Stroud. Mr. Stroud came to me.

1832. What did Powell tell you to go to Mr. Stroud for?—I cannot tell you. I did not ask Powell what he meant by it. I told him I could not leave the shop.

1833. How soon after that did Mr. Stroud come to you?—It may be, perhaps, an hour after that, or it may not be so long as that.

1834. Had you seen Mr. Stroud on the balcony of his office before then?—I beg your pardon.

1835. Mr. Stroud's office is just opposite you, is it not?—Yes.

1836. Had you seen him in the balcony of his office when Powell was with you?—Seen Mr. Stroud?

1837. Yes?—No.

1838. You had not seen Mr. Stroud out of the window at all?—No.

1839. When Mr. Stroud came to you, about an hour after this conversation, what did he say to you?—He asked me to vote for Mr. Schreiber.

1840. Where was Powell at that time?—He was not there.

1841. Where was he?—I don't know where he was.

1842. You did not see him anywhere. Was not Powell on the balcony?—He may have been there, but I will not swear that he was there.

1843. Where do you say he may have been?—I saw some person there, but I will not swear it was him.

1844. Was the person you saw like Powell?—It might have been Powell, but I won't swear it was him.

1845. Have you a belief in your own mind as to whether it was Powell or not who was in the balcony?—I thought at the time it was Powell; but I won't swear that it was Powell.

1846. Then when Mr. Stroud asked you for your vote, it was in Mr. Stroud's balcony that this man was standing, whoever he was?—I think he was in the balcony when Mr. Stroud came into the shop.

1847. In whose balcony?—Mr. Stroud's.

1848. The man who you believe to be Powell was in Mr. Stroud's balcony when Mr. Stroud came into the shop?—I believe so. I won't swear it was the man.

1849. When Mr. Stroud came into your shop and asked you to vote for Mr. Schreiber, what did you say to him?—I said, I could not make up my mind; but if Mr. Cheshire would pay me what he owed me for the prior election, and if Mr. Fallon paid me for what he owed me for one of his elections, I would vote for Berkeley.

1850. Was anything said about your landlord?—I said I never wished to vote against the Colonel.

1851. Was not something said about your landlord?—There was something said about my landlord.

1852. What was it said about your landlord?—I said that Mr. Winterbotham was my landlord. He was a Tory; and as I was behind in my rent, I did not know whether I should be doing right. I was almost afraid to vote against Colonel Berkeley.

1853. Is Mr. Winterbotham a Tory?—No, he is a Liberal.

1854. Then you made a mistake when you said that. Did you tell Mr. Stroud that Mr. Winterbotham

Winterbotham was your landlord, and that you owed him two quarters' rent?—I owed him more than a quarter's rent, and as I was a new tenant of Mr. Winterbotham's, I was afraid to go very far behind.

1855. Did you not tell Mr. Stroud that you owed him a quarter's rent?—I believe I told him so.

1856. And you were afraid to go and vote against him for that; did not Mr. Stroud promise that you should have your rent after the election if you voted for Mr. Schreiber?—He did not.

1857. What did he say?—He did not say that.

1858. What did he say then?—He did not say anything of the sort.

1859. But what did he say?—He asked me to vote for Mr. Schreiber. He did not promise anything.

1860. Did he not say "If you will vote for Mr. Schreiber, it will be all right"?—He said "You had better vote for Mr. Schreiber, you will oblige me very much by doing so."

1861. Did he not say anything about his being obliged to you, or it will be all right?—I don't remember.

1862. You don't remember?—No.

1863 Now you have remembered a good many things, you know; just try and recollect. There is nothing like thinking; go on; try and recollect what he said. Just go on, and recollect?—I am considering; but I cannot remember what he said. If I can remember what he said I will tell you.

1864. Do try and remember?—I am trying to remember what he said, but I cannot. I can say positively this, that he did not promise to pay my rent.

1865. Did he not say anything about its being all right?—He did not say anything about promising.

1866. Did he hold out any expectation to you?—He said, "Mr. Baird, you would very much oblige me, and it would be a personal favour if you would vote against Mr. Schreiber." I told him I was used so badly by Mr. Cheshire at a prior election, that I thought I should vote for Mr. Schreiber.

1867. You thought you should vote for Mr. Schreiber, notwithstanding you owed rent?—I did.

1868. How about the rent. Did the landlord press you for the rent afterwards?—He did not.

1869. Have you paid him?—I did pay him.

1870. Where did you get the money?—Out of the loan fund, and I have paid 3 *s.* a week back.

1871. Mr. Byrne manages the loan fund?—Not that loan fund.

1872. Did you tell Mr. Stroud that you voted for Mr. Schreiber, afterwards?—No, sir.

1873. When did you see Mr. Stroud next after the election?—It was some time after the election.

1874. Did you tell him how you voted?—No, I did not. It was perhaps a few days after the election.

1875. What did you go to him about?—Mr. Stroud?

1876. Yes?—I went to pay my rent. I asked him if he would lend me 3 *l.* towards it. I had 30 *s.*

1877. Did he lend it to you?—No, he did not. I was 3 *l.* short.

1878. Had you paid any rent at that time?—I had not.

1879. You were 3 *l.* short?—Yes.

1880. And you wanted to make it up to pay the rent?—I did.

1881. You went to ask Mr. Stroud to lend it to you?—I did.

1882 What did Mr. Stroud say?—He refused.

1883. Altogether?—Yes.

1884. Did you have any conversation with him about what passed, and remind him that you had done something for him before?—I did not anything of the sort.

1885. How came you to go and ask him; why should you go to Mr. Stroud?—Mr. Stroud did some business with me before the election.

1886. Why should you go to Mr. Stroud, and ask him for 3 *l.* to make up your rent?—Because I thought it was possible he would lend it to me.

1887. Why did you think it was possible he would lend it to you?—I believe he does lend money to his clients sometimes.

1888. Were you a client of his?—I have been.

1889. In law business?—A little affair; not very great.

1890. How long before the election were these little affairs?—I had been there some six or eight months before.

1891. Now can you recollect when you went to Mr. Stroud's to borrow money; did you not remind him of the conversation?—No, I did not.

1892. You are quite sure about it?—I am quite sure about it. When Mr. Stroud did not lend it to me, of course I went away.

1893. To come back to the conversation, when he was canvassing for your vote, try if you cannot remember a little more?—No.

1894. Was there an earlier conversation when he was certain of what it was, or not?—I believe not.

1895. You believe that was all that passed then?—Yes.

1896. Did you never at any time have any conversation with Mr. Stroud about what passed between you before the election?—No.

1897. Never?—No.

1898. He never asked you anything connected with it?—No.

1899. Eh?—He did not, not that I remember.

1900. Not that you remember?—I believe he did not.

1901. Did he never ask you whether you were going to give evidence?—No, he did not.

1902. Have you not seen Powell, or Mr. Stroud, or one of them, since you had the Speaker's warrant to come up here?—I have seen Powell, I saw him this morning.

1903. Where did you see him?—In the Lobby.

1904. In the passage, outside?—Yes.

1905. Did not Powell bring you up?—No.

1906. What conversation had you with him?—

Mr. *Price* objected to the evidence, upon the ground that a conversation in the Lobby could not affect the sitting Member.

The *Chairman* stated that he did not at present think that the Committee could have the conversation with Powell.

1907. By the *Committee.*] Have you had any conversation with Powell about the evidence you are to give here?—No, not any conversation at all about the evidence.

1908. Mr. *Fitzjames Stephen.*] When did you come up?—I came up yesterday.

1909. Where

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1909. Where did you sleep last night?—

Mr. *Price* objected to the question.

Mr. *Fitzjames Stephen.*] We propose to show that he has been in Powell's company.

The *Witness.*] Only in this Lobby.

1910. By the *Committee.*] Have you been in Powell's company except in the Lobby?—No, I have not.

1911. Mr. *Fitzjames Stephen.*] Where were you last night?—I was in Somersetshire till this morning; I saw nobody but my own relations there.

1912. Do you know a man named Laurence?—I do.

1913. Did he not meet you at the station when you came to town?—Mr. Laurence?

1914. Yes?—He met me and said "How do you do?" that was all.

1915. That was all, was it?—Yes.

1916. Did you not go away with him?—I did not go away with one of them.

1917. Have you received any promise of any money for the evidence that you are to give, or not to give?—I have not; only that gentleman there, Mr. Gaysford, promised he would see me right, or take care of me. I asked Mr. Gaysford for my expenses.

Cross-examined by Mr. *Price.*

1918. You asked Mr. Gaysford for your expenses, and he said he would take care of you?—Yes.

1919. Mr. Gaysford is the agent of the Berkeley party?—Yes.

1920. You made the statement to him?—I said a few words. Mr. Cheshire came in, and I said I did know nothing about this whatever.

1921. You told him all this you have told us to-day?—Which?

1922. Eh?—He came several times to me, and I told him.

1923. All that you have stated?—Yes.

1924. Now, what I want to ask you is this, as I understood you, Mr. Stroud had acted as your attorney before the election?—Yes.

1925. Had he acted for you more than once?—Only once.

1926. How long before the election?—I should think it may be nine or ten months.

1927. Had he done that for you gratuitously?—No, I paid him.

1928. Was that the only occasion you had been in communication with him; not before the election?—Yes it was.

1929. That was the acquaintance which Mr. Stroud had with you?—Yes.

1930. Now, you say that he never promised to pay your rent when he spoke to you about your vote?—He never did.

1931. All he said was, it would oblige him, personally, if you would vote for Mr. Schreiber?—That was all.

1932. I understood you to say, if Mr. Cheshire and Mr. Fallon paid you what had been owing you, you would have voted for Berkeley?—Yes.

1933. After the election, and after you had voted for Mr. Schreiber, you asked, as I understand, Mr. Stroud to lend you some money towards your rent?—£ 3.

1934. And he declined doing so?—He did.

1935. Did you then say to him, "I suppose I must get it from a loan society"?—Yes.

1936. Did he say, "You must do so, because I cannot lend it you"?—Yes.

Re-examined by Mr. *Powell.*

1937. You memory seems better?—Yes.

1938. Your memory is improved?—Yes.

CHARLES STAMP, sworn; Examined by Mr. *Powell.*

C. Stamp.

1939. WHAT are you?—A Master Tailor.

1940. Do you keep a shop?—I do not; I did, the shop is made into a private house now.

1941. Do you keep it?—I do.

1942. You are a master tailor keeping a private house?—Not the same house, begging your pardon.

1943. I want to know where you live?—I live in the first house in Hamburgh-street, opposite the Catholic Chapel.

1944. Do you know Charles O'Brien?—I do.

1945. Is he a tailor?—I do not know whether he is a tailor or not, he was apprenticed in the same house that I was.

1946. Does not O'Brien keep a large shop in Regent-street?—Yes.

1947. What shop is it?—It is a tailor's shop.

1948. What do you mean, then, when you say you do not know what he is?—I do not know whether he is a tailor or not, I do not understand machine work.

1949. Do you know George Powell?—I do not.

1950. What?—Not to my knowledge.

1951. What?—Not to my knowledge.

1952. Stop, Mr. Stamp?—Who is he?

1953. Just brush up your memory?—No sir.

1954. Did you never hear of George Powell before?—No sir, I did not.

1955. You never heard his name mentioned?—George Powell?

1956. George Powell, G e o r g e P o w e l l?—All right, I understand that, all right.

1957. Did you never hear of such a man as that before?—No.

1958. Never?—No.

1959. Did O'Brien call upon you previously to the election?—Certainly, he did. I do not call him O'Brien.

1960. What do you call him then?—I call him Mr. Cheshire's touter.

1961. Will you be good enough to call him by his proper name?—That is not his name.

1962. What is his name?—I believe his name is not O'Brien.

1963. Will you be kind enough to understand that we are talking about a man, whatever his name may be, who does keep a shop in Regent-street, with whom you also once worked?—I never worked with him, I was apprenticed to the same master.

1964. That is the man I mean, we will call him O'Brien, if you please?—That will do sir.

1965. Did you see O'Brien previously to the election?—I have seen him before and since.

1966. Then you saw him before; you might as well say yes?—That is right.

1967. Did he speak to you about your vote?—Yes, many times.

1968. What

1968. What did he say to you about your vote?—Great temptations in my way.

1969. Tell us what he said?—He told me being a fellow apprentice, as he may call himself, and being a hard working man with a large family, if money was any good to me he could assist me in the way of having it, and if I would not allow the gentleman to come to me, I could go to him.

1970. Did it happen that after that conversation ——?—I can mention the name if you choose.

1971. Eh?—I can mention the name.

1972. You can mention the gentleman's name?—Mr. Cheshire was to pay me money down, provided Mr. Fallon saw Cheshire pay me the money in hand.

1973. Mind what you say, because it is all being taken down?—That is nothing but the truth.

1974. Is this the first time that O'Brien spoke to you about your vote?—Oh dear no, not by a great many.

1975. You must attend and answer the question?—Provided Fallon had no objection to see Cheshire pay the money.

1976. I do not understand it. You mean, by Fallon, my friend who sits beside me?—Yes.

1977. Very good?—Yes.

1978. When was that?—I cannot say exactly to the day or the month.

1979. I do not want you to say exactly to the day or the month; was it before the election, or after the election?—It was before the election and since the election.

1980. How long before?—It may be a week or a fortnight before.

1981. Now attend to me. I want to know this. You say that was not the first thing he said to you about your vote; I want you to tell me what was the first conversation that O'Brien had with you about your vote previously to the last election?—He says "It ought to be ——"

1982. Tell me what was the first conversation that O'Brien had with you about your vote?—Money matters. If I wanted money, he would take me to a certain gentleman, where I could have any amount of money; and if I did not feel inclined to go, the gentleman would come to me.

1983. Now I want to ask you this: did you go anywhere to see the gentleman?—I did not; I would scorn the action.

1984. You would scorn the action?—Yes; I was not to be bought in no way.

1985. I ask you, after this conversation, in which he said he would take you to the party, did you go the party?—I did not.

1986. Eh?—I did not.

1987. Did the party come to you?—I would not allow them.

1988. Did the party come to you?—Do you mean the gentleman or the lawyer?

1989. The gentleman?—I had several touters come to me.

1990. I do not know about the touters; let us keep to the gentleman coming, Mr. Stamp?—Oh, sir, you will have it all right.

1991. Well, I ask you did anybody call on you after this interview with O'Brien; and O'Brien told you that that gentleman wanted to see you about this matter?—Yes.

1992. Who was that?—Mr. Cheshire himself.

1993. Be careful?—I shall, sir, be careful.

1994. Do you know that Mr. Cheshire met with a dreadful accident about a fortnight or a month ago, through the falling in of the grand stand at the Cheltenham steeple chase, and that he has injured his spine so severely that he cannot come to London?—Right you are, sir.

1995. Now, be careful what you say about Mr. Cheshire, because, although he cannot come to London, he may be able to go to Gloucester?—There is no need of that, because I will tell you plain and candid, I am sure.

1996. Do you mean to swear, and I have asked you about this Mr. Powell several times, that you do not know anything at all about Powell?—I don't know—I don't know the man.

The *Chairman* suggested that Mr. Powell had better describe the man.

1997. Mr. *Powell.*] A son-in-law of Mr. Bubb, the hair-dresser?—A son-in-law?

1998. A commercial traveller, travelling for dealers in the cloth trade, and a son-in-law of Bubb, the hairdresser?—I really don't know the man; I swear I don't.

1999. You never saw the man?—I won't swear that. I know many by sight as I don't know by name, who I may not have spoken to.

2000. You mean to swear to the Committee that you do not know who I mean when I ask you if you have had any communication with George Powell with reference to this election?—I swear that.

Mr. *Powell* requested permission of the Committee to have George Powell called in. *George Powell* then came into the room.

2001. Mr. *Powell.*] Look at that gentleman (*pointing to George Powell*). Now, sir, I ask you to look at that gentleman?—I don't know him at all.

2002. Have you ever seen him before in your life?—Never in my life, to the best of my knowledge.

2003. You never saw him in Cheltenham, to the best of your knowledge?—I should not know the gentleman, if I met him.

Mr. *Powell.*] I will not ask you another question.

[*George Powell* then retired.

The *Witness.*] To the best of my knowledge, I never spoke to the gentleman; I should not know him if I were to see him again.

Mr. *Price.*] I have nothing to ask him.

Examined by the *Committee.*

2004. Had you any conversation with O'Brien about your vote?—I had not.

2005. Independently of that which you have already stated?—I had not. All that he has done has been to advise me, in every way to my fancy, to make me false swear.

2006. I am asking you before the election; was there any conversation between you and O'Brien?—Certainly there was.

2007. That you might get 5 *l.* for your vote?—Yes, I had great temptations; 5 *l.*, or 10 *l.*, or 15 *l.*, or 20 *l.*, or any amount of money.

2008. By whom was that 5 *l.* to be given?—To me?

2009. Who was to give it to you?—The gentleman who was to give it to me was to have the money sent, and then he would bring it to me if I would have it so.

2010. Was

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2010. Was that to vote for Mr. Schreiber?—No, sir; begging your pardon, I had no temptation in any way. I must say that it was a most honourable election: I have not had the least temptation.

2011. Who did you vote for?—I voted for Mr. Schreiber.

2012. Did you say to O'Brien that you would give any information for 7 *l.*?—No, I never did.

2013. Or to Cheshire?—No; Mr. Cheshire wanted me, but he could not butter me. It would take all his time to butter me, because I was not going to have any money.

2014. Is it true that you received some coals at the time of the election?—I received some coals, which I told Mr. Cheshire. He says, "Mr. Stamp, you have had two tons of coals." I says, "Yes, I have had two tons of coals, but not on account of the election; I have got my receipts and bills; I never received any bribe." Would it be right to show it? This is before the election. Here are my bills and my receipts to prove it (*producing two papers*).

2015. When did you pay for those?—You will see on the paper. I ordered them, and paid for them out of my labour.

2016. Did you vote at the election in 1859?—I did not. This is my first time of voting. In Sir Willoughby Jones's time I had a vote, but I did not vote either way. I have got a nice name, and I hope I shall redeem my character.

2017. You positively swear you did not offer to tell all you knew for 7 *l.*?—Yes.

2018. You never offered that to anybody?—I did. I said I would tell everything I knew concerning the election.

2019. Who to?—To Mr. Cheshire.

2020. Did you ask for any money for the information?—I did not. I said, "I am not going to open my mouth." When I heard it was so long, I got sick of speaking of the election in the street.

2021. Mr. *Price.*] Will you be kind enough to ask him, sir, whether his habit was to pay for two tons of coals, one under the other?

The *Chairman.*] Answer that question.

2022. Mr. *Price.*] Has that been your custom?—That is my custom.

2023. To pay for two tons of coals, one under the other?—Yes; I always have them in by the ton.

[The Witness withdrew.

HARRIET WOOD was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:—

H. Wood.

2024-25. ARE you the wife of Charles Wood?—Yes.

2026. What is he?—He is a photographer, and he works for Mr. Martin as well.

2027. Where does he live?—We live at 3, St. James-street.

2028. Where did you live at the time of the election?—Kingscote Cottages, Grosvenor-road.

2029. Do you know Mr. Schreiber?—I know him by sight.

2030. Your husband is a photographer, I believe?—Yes.

2031. Do you recollect ever having been called upon by Mr. Schreiber before the election?—He asked me if my husband would vote for him; I told him I did not think he was going to vote at all; but if he did vote at all he would vote for the Colonel.

2032. What did Mr. Schreiber say to that?—He said he hoped he would not. He asked me if I could not influence him to vote for him; I told him I did not know.

2033. Did he afterwards call again?—Yes, he called again.

2034. Was your husband out at the time?—Yes; he did not see him.

2035. What did you talk about again?—He asked me if my husband was going to vote for him; I told him I did not think he would vote at all; I don't know all the conversation that passed.

2036. Was there some conversation that passed about the children?—I have six little ones. He said my husband ought to be very proud of such a family.

2037. What did you say to that?—I told him he would not be proud of such a family if he had to maintain them.

2038. What did he say to that?—He said, "You must bring them to us to maintain; we are the ones to maintain the children, Mrs. Wood;" that was all that passed.

2039. Who was with him at the time?—There was the lawyer; but I am sure I forget his name.

2040. Do you know Mr. Laurence?—Yes.

2041. Did Mr. Laurence come to your house some day before the election?—Yes, he did.

2042. What passed between you and Laurence?—I told Mr. Laurence I wanted some money.

2043. What did he say?—Well, I don't know exactly all the words that Laurence said to me.

2044. Just tell us what the effect of it was?—He said he dare say I could have some money; he asked me how much I wanted; I told him I wanted 5 *l.*

2045. What was that to be for?—For my husband's vote.

2046. What did he say about that?—He asked me if I could stay till after the voting was over before I had the money; I told him no, I should have the money first.

2047. What did he say?—He talked some little time, and then he said he would send a man to give me the money.

2048. Do you know a Mr. Church?—Yes, that was the man who gave me the money.

2049. How long after you had seen Laurence did Church come?—I should say half an hour; I cannot exactly tell the time.

2050. What happened when Church came?—I think it was about a quarter to four.

2051. What day was this; was this the day of the election?—The day of the polling.

2052. What happened when Church came?—Well, sir, he asked me for a picture; I gave him a *carte de visite*, and he gave me a 5 *l.* note.

2053. Where was your husband at this time?—He was not at home.

2054. After you had sold the *carte de visite* for the 5 *l.* note, what became of your husband?—I told him it was all right, and he got into the fly and went and voted.

2055. What

2055. What did you do with the 5*l.* note?—I went and took it to my father directly I had it.

2056. What was that for?—I told him I had the money.

2057. Did you want to get it changed?—I asked him to get it changed for me.

2058. Did he afterwards change you the note?—My father did.

2059. What is his name?—Ruck.

2060. Have you seen Church about Cheltenham lately?—No, sir, I have not.

Cross-examined by Mr. *Price.*

2061. Yours are very nice children?—Yes; if anyone admires them I think they are nice.

2062. It is not the first time they have been admired; did Colonel Berkeley never admire them?—Never.

2063. What shocking bad taste! Did Mr. Schreiber give them a kiss?—No; I do not think they were good enough for Mr. Schreiber to kiss.

2064. Eh?—Perhaps they were too poor for Mr. Schreiber to kiss.

2065. You say that you got this 5*l.* for the picture; what was the picture?—A *carte de visite.*

2066. Of himself?—No; I don't know who it was of; it was given in a hurry.

2067. Cannot you tell me who it was of; do not you know how long you had it?—No, I don't know; it was in the glass house; it was a refused picture.

2068. Your husband worked in the glass house?—Yes, he did at that time; he took photographs.

2069. And you cannot tell me who it was?—No.

2070. Is your husband here?—Yes.

2071. Have you seen Mr. Cheshire lately?—Well, I saw him not long ago.

2072. Did you see him last January?—I am sure I don't know what day it was.

2073. Let me see if I can remind you?—I really cannot recollect.

2074. Was it about that time?—I know Mr. Cheshire came to me; I am sure I do not know what day or what month, or anything of the sort.

2075. Two or three months ago?—Well, it might have been that.

2076. Did he say the Colonel would not let you and your family want, if you would tell what you knew?—That was not the words he used; perhaps it would be better for me and my family if I could tell him.

2077. Did he offer you any money?—No, he did not.

2078. Did he name anything?—No.

2079. Had you been offered anything?—There was a man who came from London about a fortnight after I was bribed, and asked me if I could tell him anything.

2080. Have you never been offered anything yourself?—No.

2081. Did you see the gentleman who came from London?—No, I did not.

2082. Did you tell your husband anything about it until after he had given his vote?—Yes; I gave Church a picture first, and it was too large for Church; he wanted a smaller one, so that I gave him a smaller one.

2083. Have you never said that you knew 150*l.* had been offered, and that it would be of great service to you?—I said it would be of service, but I did not know who from.

2084. But you knew that 150*l.* had been offered to you to give evidence?—Not to me.

2085. Were you also to give evidence when the 150*l.* was given?—I don't know.

2086. Did you understand that?—I don't know.

2087. Did you tell Mr. Cheshire that that sum of 150*l.* had been offered you?—I don't know that I told Mr. Cheshire; I told Mr. Stroud.

2088. But did you not tell Mr. Stroud that you would inform Mr. Cheshire of it?—No; I do not think I did.

2089. Just try and recollect. Did you not tell Mr. Stroud that you had informed Mr. Cheshire that you had been offered 150*l.* for your evidence?—No; I do not think I did.

2090. You are not quite sure about it?—I do not think I did.

2091. You are not very sure about it, are you?—I might not be quite sure, but I do not believe I did for a moment.

2092. Is Church the gardener?—That is the man who gave me the money.

2093. Did he come by himself and give you this money?—He did.

2094. What sort of note was it; what bank?—My father changed it.

2095. You saw the note?—I did not open the note myself.

2096. Did you not see what it was?—No, I did not.

2097. Did you never see what it was?—I never noticed it; but I gave it to my father.

2098. Do you mean to say, when Church gave it to you, that you never opened it, but that you gave it to your father without having the curiosity to see what it was for?—Yes, I did.

2099. You told your husband?—I told my husband.

2100. What was the large picture your husband gave?—He will inform you about that; I hardly know what it was.

2101. Did Mr. Cheshire ask you why your husband voted blue, having voted yellow before?—He never asked me such a question.

2102. Did you say, "I suppose he changed his mind, and voted because his master, Mr. Martin, asked him"?—Mr. Martin never asked him.

2103. Did you say that to Mr. Cheshire?—No.

2104. Are you sure?—No; I do not think I did.

2105. Just recollect, Mrs. Wood; did you tell Mr. Stroud so?—No. Mr. Cheshire asked me if it was through Mr. Martin that he voted blue; I said, "No."

2106. Mr. Cheshire asked you if it was through Mr. Martin?—If I thought Mr. Martin would press him to vote blue on account of his working for him; I said, "No; Mr. Martin was too much of a gentleman to do so, Mr. Cheshire."

2107. That was all Mr. Cheshire said about it?—No.

2108. Did Mr. Cheshire say, "You are very stupid: you are very badly off; you ought to look out for your family?"—He might have said so; it is so long ago, I do not recollect.

2109. You remember the other things so well; you remember Mr. Schreiber admiring your children?—That was so very curious for a gentleman to take notice of a poor family like mine.

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2110. Did Mr. Cheshire say you were very stupid; because you were very badly off, and you ought to look out for your family?—No; he said it might be better for me, and my family too.

2111. To do what?—If I could tell.

2112. If you could tell what?—If I had a bribe.

2113. Did you say to him, "You are labouring under a great mistake"?—I did.

2114. That is when he asked if you could tell that you had a bribe?—Yes.

2115. Did he say he heard that you paid your rent out of what the fixtures sold for?—He said that people thought we had a bribe on account that we were in arrear with the rent; that was not so; we had sold our business to pay our rent.

2116. Still, in point of fact, the rent had been paid out of what you sold the fixtures for?—That is quite so.

2117. Did he say you had better think seriously about it, and did you say, "It is no use for me to think seriously"?—No, I did not. I said, if I was put on my oath, I should tell the truth.

2118. Did he say you had better think seriously about it?—No; he did not say anything about seriously at all. I told Mr. Stroud, if I was put on my oath I should tell the truth.

2119. Did you tell Mr. Stroud that, if you were put on your oath, you should tell the truth?—Yes.

2120. Did you go on to say, that it would be of great use to you to have 150*l.*, which had been offered; but you could not say anything?—I said 150*l.* was a great temptation for anyone, but I should not take the money; that I never wished to take any money to go against Mr. Schreiber, but that if I was put on my oath I should tell the truth.

2121. Did you say, "I cannot say anything?"—No.

2122. Will you swear that?—I believe not.

2123. Did you say to Mr. Cheshire that you knew it would be of great use, this 150*l.* which had been offered, but you could not say anything?—I put Mr. Cheshire off his guard; I did not wish to say anything to Mr. Cheshire.

2124. You said you could not say anything?—I did not say I could not say anything, because that would be telling an untruth. I told Mr. Cheshire that he was labouring under a great mistake; that was most of the words that I said.

2125. Will you swear that you did not say to him that you could not swear to anything?—I could not swear to that.

2126. You might have said that?—I might, or I might not.

2127. Do you remember Mr. Stroud reading those very words to you, that you had said to Mr. Cheshire "I know it would be of great use for me to have the 150*l.* which you had been offered, but you could not say anything"? Do you remember hearing Mr. Stroud read that to you?—Mr. Stroud did not read that.

2128. Did he not read that part?—He did not.

2129. Did not Mr. Cheshire say, "You ought to think seriously of it; only think of your family"?—He did not say that to me. He said it would be better for me and my family if I could tell it.

2130. Did you say to him "I should like to do good to my family if I knew how, but I cannot get any money from you unless I take a false oath"?—To whom was that said?

2131. To Mr. Cheshire?—No, I never said that.

2132. What?—I do not think I ever said that.

2133. Said what?—What was your question?

2134. Did you say to Mr. Cheshire, when he said it would be better for you and your family, "I should like to do good to my family if I knew how, but I cannot get anything from you unless I take a false oath?"—I never said anything about a false oath. I might have said that I should like to do good for my family if I knew the way, but I never said anything about taking a false oath.

2135. Will you swear that?—I do not know. I do not like to swear to anything.

2136. You have sworn to a great deal?—That is the truth, but there is a thing I am not very confident of I don't like to swear.

2137. Upon your oath did you not say, "I cannot get any money from you unless I take a false oath"?—I cannot remember those words.

2138. Will you swear you did not say that?—I cannot swear I did not, but I do not remember the words at all.

2139. Might you have said, "I should take a false oath if I got money from you in that way"?—I said I would not take any money from either side.

2140. Did you not say, "I cannot get any money from you unless I take a false oath"?—I will not say as I cannot be positive.

2141. But may you have said so?—I may have said so, but I cannot say.

2142. Did he say to you, "I have been told you have had 5*l.*" and did you not say, "Then you have been labouring under a great mistake"?—I said he was labouring under a great mistake.

2143. When he said to you, "I have been told you have had 5*l.*"?—Yes.

2144. Was that true or not?—Well, it was not true.

2145. After the election, did a strange man come to you with a paper?—Not to me, to my husband.

2146. In your presence?—Not in my presence.

2147. Did he ask you——?—No.

2148. Asked you what?—He asked me if I could tell anything.

2149. I have not asked you the question, yet you answer before you hear the question. I asked, did he ask you to put your name to a paper?—No.

2150. Will you swear it?—He never asked me to put my name to a paper.

2151. Will you swear it?—Yes.

2152. Upon your oath, he never asked you to put your name to a paper?—No.

2153. Never?—Never.

2154. And that he would give you 100*l.*?—He never offered me anything, it was my husband.

2155. Did any strange gentleman, who said he came from London, ask you to put your name to a paper?—No.

2156. To put your name to a paper which he held in his hand?—No.

2157. Did he ask your husband in your presence?—Not in my presence, he told me directly afterwards.

2158. Do you know Holder, at the "Wellington"?—Yes.

2159. Did he say he would give you 50*l.* if you

you came and gave evidence?—He said he would make it up 50 *l.*

2160. Who is Holder; is he a Cheltenham man?—I don't know; he keeps a public-house.

2161. Is he a Yellow?—Yes.

Re-examined by Mr. *Price.*

2162. This man who came to you, this strange man, who sent him, you do not know?—No.

2163. Whether Mr. Stroud, or anybody else?—No.

2164. Now, you have been asked about what you were told by Mr. Stroud; how came you to see Mr. Stroud on this subject?—I went to Mr. Stroud because I was told.

2165. You went to Mr. Stroud?—Yes, I did.

2166. Did Mr. Stroud ask you questions?—Yes, he did.

2167. Did he read over to you all that he wrote down?—No, not all.

2168. When did you go to Mr. Stroud; had you received the Speaker's warrant then, or not?—No.

Examined by the *Committee.*

2169. Who is Holder?—He keeps a public-house just below us.

2170. Is that "Alder's Porter Stores"?—No, it is a different name.

2171. How long ago was that?—I cannot exactly tell the time; I did not take any notice.

2172. A week or a fortnight ago?—It was more than that. *H. Wood.* 30 April 1866.

2173. How long after the election?—What are you speaking of?

2174. This conversation with Holder?—It was soon after the election; about a fortnight or three weeks after the election.

2175. Have you spoken to him again about the same thing?—No.

2176. Did you have a vote at the election of 1859?—The last election?

2177. No, the one before that?—Yes.

2178. Who did you vote for then?—Colonel Berkeley.

2179. What were you to do for this 50 *l.*?—I was to tell.

2180. Tell what?—Tell whether I had taken any money at the election.

Mr. *Price* requested the Committee to ask the Witness whether she went to Mr. Stroud of her own accord.

2181. By the *Committee.*] Did some one take you to Mr. Stroud, or did you go of your own accord?—I went of my own accord.

2182. Was it soon after New Year's Day that you went?—I don't know when it was that I went.

2183. The beginning of this year?—I have been to Mr. Stroud the beginning of this year.

[The Witness withdrew.

William Ruck, was called in; and, having been sworn, was Examined by Mr. *Fallon,* as follows:

2184. Are you the father of the last witness who has been in the room?—Yes. *W. Ruck.*

2185. What are you?—I am nothing particular as I know of.

2186. How do you get your living?—I have so much a week coming in.

2187. Is Charles Wood your son-in-law?—Yes.

2188. Were you at his house the day of the election?—Yes; on the 12th of July I think it was.

2189. About what o'clock was that?—About a quarter before four, but I cannot say to a minute or two.

2190. Did anybody come to the house that you saw?—Yes.

2191. Who was that?—There were many people came there.

2192. Did anybody come to your daughter?—Yes.

2193. Who was that?—His name was Church.

2194. Did Charles Wood go away in a fly?—Yes.

2195. Did Harriet Wood show you anything after he went?—Directly before he went, I saw a 5 *l.* note that was given to her.

2196. Did she give you a 5 *l.* note?—She asked me to change it for her.

2197. What did you say to her?—I said I cannot to-day; I will change it to-morrow.

2198. Did you receive the note from her?—The next day I did.

2199. Did you get it cashed?—I got it cashed at the County Bank, Cheltenham.

Cross-examined by Mr. *Price.*

2200. Church came, and Charles went away in a fly?—Yes.

2201. Did Church go away?—No.

2202. They were in a room by themselves?—Not Charles Wood; he was not in the room along with him.

2203. Who was?—My daughter.

2204. Then Charles Wood was not there?—He was gone in the fly.

2205. He had gone in the fly, and Mr. Church goes in the room with your daughter?—Yes.

2206. And did your daughter come out with a 5 *l.* note?—Yes, she did; in her hand, open.

2207. She had opened the note?—I don't know whether she had.

2208. Was it opened?—Yes.

2209. You could see it was a 5 *l.* note?—Yes.

2210. What bank?—I think the Gloucester Bank.

2211. She can read, can she not?—Yes, I believe so.

2212. Could she see what note it was?—Of course she could. She said, "Look here, father, what I have got for Charles's vote."

2213. Did she say what kind of a note it was; did she say, "Here is a 5 *l.* note"?—No, she did not; because I could see what it was.

2214. She showed it you open?—Yes.

2215. She could see what it was?—Yes.

2216. Then, if she has said she did not unfold it to look at it, that is not true?—She did have it unfolded.

2217. If she has said she did not unfold the note, that is not true?—I cannot say whether she unfolded it or not.

[The Witness withdrew.

CHARLES WOOD, was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

C. Wood.
30 April 1866.

2218. Is your name Charles Wood?—Yes.

2219. Were you a photographer, carrying on that occupation in Cheltenham at the last election?—Yes.

2220. Had you promised your vote to anybody?—Not particularly promised it.

2221. Eh?—No.

2222. Had you been canvassed by anybody?—I promised not to vote against the Colonel.

2223. You mean Colonel Berkeley?—Yes.

2224. Now, on the night before the election, were you employed by anybody?—Respecting the election?

2225. Yes, respecting the election?—No, sir.

2226. Eh?—No.

2227. Just attend; on the night before the poll?—Oh yes; I was.

2228. Who were you employed by?—By Mr. Spackman.

2229. What is he?—A plasterer.

2230. Is he a Blue, or a Yellow?—A Blue.

2231. What were you employed to do?—I was to go with a party round St. Paul's Church.

2232. Did you see anybody besides Spackman?—No, I did not.

2233. Do you remember between three and four o'clock on the polling day, were you at your house?—Yes, I was.

2234. Did anybody come there?—There were several came there.

2235. You know what I mean, about the election; do you know a man named Church?—Yes.

2236. Did he come?—Yes.

2237. Did you hear what he said?—I did not hear all the words.

2238. Tell us what you did hear; what did he want?—He wanted a picture.

2239. Tell us what Mr. Church came about; what he said to you, and what you said to him?—He wanted to purchase a picture which I put into his hands. He said it was too large for him, and then the "missis" in a scuffle gave him a *carte de visite*.

2240. How long was that before four o'clock?—Between a quarter of an hour and ten minutes.

2241. How far is your house from the polling place?—A couple of hundred yards.

2242. Before you went out, did your wife say anything to you?—"All right."

2243. I will not ask you what you understood; did you understand what it meant?—Of course I did.

2244. Having done that, what became of you?—I got into an open vehicle.

2245. Was there a fly waiting outside?—Yes.

2246. Did you get into it?—I did.

2247. Were you driven anywhere?—I was driven to the poll.

2248. Who did you vote for?—I voted for Mr. Schreiber.

2249. Where did you go to from the poll?—I went to the committee-room in Carlton-street.

2250. One of Mr. Schreiber's committee-rooms?—Yes.

2251. Who did you see there?—Mr. Byrne.

2252. Who else?—A young man with dark whiskers; I could not swear to his name.

2253. There are a good many young men with dark whiskers in Cheltenham; do not you know who he was; have you seen him here in the gallery?—I have.

2254. Do you know his name now?—I will not swear to his name; the other I will swear to.

2255. Should you know him if you were to see him again?—Yes, I should.

Mr. *Powell* requested that George Powell might be called in.

It was stated that George Powell could not then be found.

2256. Mr. *Powell.*] Have you seen the gentleman since you have been in London?—I have.

2257. In the lobby?—Yes.

2258. Have you heard his name?—I heard his name was Mr. Powell.

2259. Did you see Church there?—At my house?

2260. At the committee-room in Carlton-street?—Yes.

2261. You say you saw Byrne there?—Yes.

2262. Did you see Lawrence there?—No; I will not swear that I did.

2263. Have you seen Church since the election?—The morning before the subpœna was served upon me, on the Tuesday morning.

2264. Did Church say anything to you about it?—He said I had been making a bother, and a split; I told him I had not; I told him my friends had been doing it.

2265. What did he say?—He said he did not believe there was a case, and if he was out of the way he was the only witness.

2266. Have you seen him since?—I have not.

2267. Mr. *Price.*] Now, let me understand; what was this scuffle you have talked of?—Sir.

2268. You have talked about a scuffle, you said your wife in a scuffle put a *carte de visite* in his hands?—Yes.

2269. Mr. *Powell.*] I beg my friend's pardon; I omitted to ask one question which is important. Did you go to Mr. Guinnett's office after the polling?—I did; I had 7 *s.* 6 *d.*

2270. What were you paid that 7 *s.* 6 *d.* for?—For the night before and the day.

2271. What had you done?—I had not done nothing.

George Powell here came into the room.

2272. Is that the gentleman you spoke of?—I believe that is the gentleman, but I will not swear; the other gentleman I will swear to.

2273. You believe that to be the one?—Yes.

2274. By the *Committee.*] What was the 7 *s.* 6 *d.* for?—For being out all night.

Cross-examined by Mr. *Price.*

2275. Were you out all night, then?—I was.

2276. Instead of being at home and comfortable in bed, you were out all night?—I was.

2277. Were you watching voters?—I was.

2278. For the Blue party?—For the Blue party.

2279. Were you watching them for a day as well as a night?—No.

2280. Only

2280. Only for the night?—Only for the night.

2281. The night of the nomination?—Yes.

2282. Mr. Guinnett or somebody in his office gave you 7 *s.* 6 *d.* for your trouble, in being up all night looking after voters?—Yes.

2283. Did you claim it for your services?—I did.

2284. What ward did you watch?—Down St. Paul's-street, leading to the north.

2285. North ward, is that it?—Yes.

2286. Which is the committee-room that you went to when you saw Church, and Byrne, and Powell?—Carlton-street; an empty house.

2287. An empty house in Carlton-street?—Yes.

2288. That was after you had voted?—After I had voted.

2289. Was it then that the man came and offered you 150 *l.* if you would give evidence?—It was not a gentleman, it was a poor man.

2290. Was the house in Carlton-street an empty house taken on the polling day?—Yes.

2291. Taken on that day?—Yes.

2292. Where they got a return of the voters?—Yes.

2293. You saw Church; were the other people with you Blues?—Yes.

2294. A room full of them?—Yes.

2295. Twenty or thirty?—Not so many as that.

2296. Were they waiting for the close of the poll?—Yes.

2297. Was Joseph Church there?—Yes.

2298. They were collected there for the purpose of hearing the result of the election?—I was taken there for the purpose of showing that I had voted.

2299. Who took you?—Mr. Fletcher.

2300. Those gentlemen were waiting there for the result of the election?—Yes; I went there for him to show me up that he took me.

2301. That he had polled you?—Yes.

2302. You say this was a poor man that came and offered you this money?—Yes, apparently.

2303. I should like to know what is your idea of a poor man; do you mean shabbily dressed; I see you are well dressed?—Yes.

2304. Is that the dress you came to London in; did you come in those new clothes?—I had them before I came to London.

2305. Just before you came up?—Yes.

2306. A new suit?—A new suit.

2307. Now this poor man came to you?—Yes.

2308. Did he say where he had come from?—I understood him from London.

2309. Did he tell you so?—He would not tell me his name, or anything else.

2310. Did he tell you he had come from London?—He did not directly tell me.

2311. Did he indirectly?—He made out that he had come.

2312. Did he say you should have 150 *l.* if you would give evidence?—He said I should have 100 *l.*

2313. Did he afterwards increase it?—No; I gave him a decided answer at once.

2314. You said what?—I said it was against my principles to take a 5 *l.* note, and then split upon it.

2315. What has become of your principles now, if you told him it was against your principles to take 5 *l.* and then split; have you got your principles in that new coat pocket?—No.

2316. I should have thought you had; when did you part with those principles?—When did I part with my principles; what do you mean?

2317. You said it was against your principles, when you had taken a 5 *l.* note, to split, but you have not found it against your principles?—After it was so plain, I opened then.

2318. How was it so plain before you opened?—Because every one had got hold of it.

2319. Who was it?—All the people in the town.

2320. Who knew it, except you and Church?—My own sister.

2321. Who told your sister?—I do not know.

2322. Your wife?—No; I will take my oath she did not.

2323. Then you think because other people have told of it, your principles might be abandoned and you might split?—I knew very well I should have to come here.

2324. Did you know a man named Holder at the "Wellington" offered your wife 50 *l.* more?—He offered me 20 *l.* out of his own pocket, and said he would guarantee me up to 50 *l.*

2325. Was that before you abandoned your principles, or whilst you still stuck to your principles?—That was before.

2326. Before you had abandoned your principles?—Yes.

2327. I should like to know when you did come to the determination of abandoning them?—I was told so plainly.

2328. Was your wife promised 50 *l.* as well?—No.

2329. Not 50 *l.* as well?—No.

2330. Has she had a new suit of clothes to come to London with?—No; she had a new dress, but not for the purpose of coming.

2331. How long have you been up?—How long?

2332. Yes?—I was up last Friday evening.

2333. Have you been paid anything since you were in town?—No.

2334. What are you to be paid?—I do not know, I am sure.

2335. Are you still in practice as a photographer?—Not at present.

2336. What are you at present?—A jewel case maker, a plate chest maker.

2337. Who did you work for?—I work for Martin & Co., of Cheltenham.

2338. How long have you been in their employment?—Fifteen years.

2339. Who is taking care of your family down there; are they being supported by anybody?—My sister.

2340. Has she had money given to her to do it?—Not that I am aware of.

Re-examined by Mr. *Powell.*

2341. Tell me what this Mr. Holder said to you about 20 *l.*?—They had done it plainly that; the man was under the impression ——

2342. Tell the Committee when Holder told you that he would give you 20 *l.* out of his own pocket, and guarantee you up to 50 *l.*, what was it for?—If I would tell whether I could tell anything or nothing.

2343. If you would tell what you knew about the matter?—Yes.

2344. Now, just attend; you have been asked if the poor man gave you to understand that he

C. Wood.

30 April 1866.

came from London; do you know anything at all about that man, or who sent him?—I don't.

2345. He might have come from Mr. Stroud for aught you know?—Yes; I don't know who he came from.

Examined by the *Committee.*

2346. Have you received any money at all to come up to London, to pay your expenses?—Yes.

2347. Or to pay you for the new suit of clothes?—No; I received 1 *l.* with the subpœna, and 2 *l.* since; that is all the money I have had.

2348. Is that all the money you have received?—Yes.

2349. From the beginning to the end?—From the beginning to the end.

2350. And a suit of clothes?—Those things I have not paid for; I paid part of the money for them.

2351. Yourself?—Yes.

2352. You have paid partly for them?—I have paid a part.

2353. How do you stand with regard to the rest of the price of the clothes?—I shall pay that as soon as three months are up, which is the bargain I made with the man.

[The Witness withdrew.

Adjourned to To-morrow, at 11 o'clock.

Tuesday, 1st May 1866.

ACTON SMEE AYRTON, Esq., in the Chair.

William Crewe was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

W. Crewe.
1 May 1866.

2354. Do you live at Cheltenham, and are you an elector of that borough?—Yes.
2355. What are you?—A cordwainer.
2356. Do you know George Powell?—Yes.
2357. On the day before the election did he come to your house?—Yes.
2358. Tell us what he said to you?—He asked me to come to the "Calcutta," and have something to drink.
2359. What did you say to him?—I went with him.
2360. Tell us what passed; what he said to you, and what you said to him?—He asked me what I would have to drink, and I told him a pint of perry.
2361. Was that on the nomination day?—That was on the Monday, the day before the nomination day.
2362. Tell us what he said about the election, if anything?—I told him they were on the election job, but it was no use, I had promised the other party.
2363. Did he say, "Never mind that; what will you have to drink"?—Yes.
2364. Then, I suppose, the perry was introduced?—Yes.
2365. Passing over the perry, go on, and tell us what took place?—He asked me not to vote at all.
2366. What did you say?—I could not promise not to vote at all, for I had promised the other party, and I did not see that I could consistently break my promise.
2367. Had you promised the other party to vote for Colonel Berkeley?—Yes.
2368. What did he say then?—Mr. Barnfield was with him, and Mr. Barnfield suggested that I should take a trip to Tewkesbury regatta.
2369. Mr. Barnfield did this?—Yes.
2370. Who was with him?—George Powell.
2371. Was the Tewkesbury regatta on at the time?—On the Monday, the day of the poll.
2372. What did he say about your going there?—He said he would pay for a ticket for me out of his own pocket.
2373. Was anybody to go with you?—My wife was to go with me.
2374. Tell the gentlemen all that took place?—My wife was to go with me, or a trip to Weston-super-Mare, either place we liked to go to.
2375. When were you to go?—On the Monday, the day of the election.
2376. What did you say?—I told him I would think about that; I did not think it would suit me.
2377. I believe you did not go?—I did not go.
2378. But stayed at Cheltenham, and voted for Colonel Berkeley?—Yes.
2379. On the day of the election did you see Powell with anybody?—After I polled I saw Powell in a fly, and they pulled up.
2380. With whom?—Mr. Byrne.
2381. Where did they go to?—They stopped opposite our house, and went into the "Calcutta;" after staying a few minutes they got into the fly, and returned back.
2382. By the *Committee.*] Who was in the fly with him?—Byrne.
2383. Mr. *Price.*] Mr. Byrne, of the loan office?—Yes.

[The Witness withdrew.

William Skinner was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

W. Skinner.

2384. What are you?—I am a greengrocer and dealer.
2385. Do you live in Cheltenham?—Yes.
2386. And are you an elector of that borough?—Yes.
2387. Had you promised to vote for anybody previous to the election?—I did not promise my vote particularly to anyone.
2388. Do you know Mr. Stroud?—Yes.
2389. He is an attorney, we hear?—Yes.
2390. Were you indebted to him at all at the time of the election?—He told me I was.
2391. How much?—£. 3.
2392. Previous to the election did he call on you?—Yes.
2393. More than once?—Yes.
2394. How many times about?—I will not say to a few times.
2395. Several times?—Yes.
2396. What did he come about?—He continued to call on me about the election.
2397. What did he say to you?—He wished me to vote for Mr. Schreiber.
2398. What did you say to him?—I told him it was against my principles.
2399. What did he say?—He then continued asking me what reason, why I should not vote for him. I said, "I did not wish to give a vote at all; if I did, I should give it to the colonel."
2400. Colonel Berkeley?—Yes.
2401. What did he say then?—He then asked me why I should not.
2402. You must tell those gentlemen all that took place?—He then asked me why I should not give it; I said, "My reason is, that I have families in both parties, therefore I did not wish to

W. Skinner.
1 May 1866.

to vote to offend either." As to this small sum I was indebted to Mr. Stroud——

2403. What did he say about the debt?—He told me if I would go out of the town on the day of the election he would clear that off.

2404. What did you say?—I said I would.

2405. And did you go away?—I did.

2406. Did you go in consequence of what he said to you?—I did.

2407. And did not vote for anybody?—Not for anyone.

2408. Now tell me, did you see Mr. Schreiber at all during the election?—I did.

2409. Did he call at your house?—He did.

2410. How many times did he call at your house?—Three times.

2411. Who was with him?—I could not say; I saw him once.

2412. Was there anybody with him?—There was someone with him; I could not say the name; I did not take any notice about it; he stood in the shop.

2413. Was it someone you knew before?—No.

2414. Have you seen him since?—Not that I noticed him.

2415. Should you know him if you saw him?—I might possibly.

2416. What sort of man was he?—He had smarty whiskers round him; rather a whiskery gentleman.

2417. Should you know him if you were to see him?—I could not swear to him.

2418. By the *Committee.*] Have you seen him about the gallery here?—No, I have not.

2419. Mr. *Powell.*] If he were brought into the room should you know him?—To be positive, to swear to him, I could not.

2420. When did you come to London from Cheltenham?—I was here on Saturday.

2421. What time?—A quarter to five.

2422. Were you down here before?—Yesterday.

2423. How long yesterday?—From 12 to 4.

The *Witness.*] I should know Mr. Schreiber.

[Mr. *George Powell* was called into the room.]

2424. Mr. *Powell* (to the Witness.).] Is that the gentleman?—That is something like him.

2425. Do you believe that was the gentleman?—I should believe it was.

2426. Now, when was it that Mr. Schreiber with some gentleman, whom you did not know, came, and you saw him?—About two or three days before the election.

2427. What did Mr. Schreiber say to you?—He came in the shop, through into the kitchen; I was at my tea with two or three others; he came and asked me for my vote.

2428. What did you say?—I said I should not give it to him.

2429. And he asked the reason why?—I told him the same as I said before; my reason was, it was against my principles to give my vote that way.

2430. What did he say?—He asked me then what I should want for my vote; if I was in any difficulties.

2431. By the *Committee.*] Who asked you?—Mr. Schreiber.

2432. Mr. *Powell.*] What did you say?—I said I was not.

2433. What did he say further?—He said, "Is any money of any use to you, or any services."

2434. Who said that?—Mr. Schreiber.

2435. What did you say to that?—I said, "No, I am not going;" I meant I was not going to vote.

2436. When, as you say, Mr. Schreiber said to you, "Is any money of use to you?" what did you say?—He meant if I was in difficulties.

2437. What did you say?—I said "No."

2438. Was anybody present at the conversation?—Yes, somebody was at tea with me—Mrs. Foster.

2439. Who is she?—She is a person who rents a cottage close by.

2440. What more was said?—He then said, "Is there not an arrangement between you and Mr. Stroud?"

2441. That was Mr. Schreiber?—Yes; I said there was.

2442. Go on?—He said, "Whatever you want you shall have; Mr. Stroud will settle with you for it."

2443. Anything more?—That was chiefly our conversation.

2444. Had you seen Mr. Stroud about the matter?—I had.

2445. When did you see Mr. Stroud?—I saw him pretty well every day.

2446. Had he come to you, or had you gone to him?—Sometimes he called on me, and I saw him go by my place sometimes.

2447. What did he allude to with reference to settling?—It was about this 3 *l.*

2448. Then you went away, and did not vote at all?—That was it.

Cross-examined by Mr. *Price.*

2449. What are you?—A greengrocer and a dealer.

2450. What do you mean by "a dealer"?—A dealer in potatoes and fruits, and so on.

2451. Is your wife up here?—No.

2452. When did Mr. Stroud do this business for you to which this 3 *l.* refers?—I believe it was a week before after the last day.

2453. A week before the last election?—When we first talked about it.

2454. When had he done the business?—He settled the business the day before the election.

2455. By the *Committee.*] Was this the 3 *l.* business?—Yes.

2456. Mr. *Price.*] What was it he had done for you?—It was a case in the county court that I had.

2457. Against Ayres, the gardener?—Yes.

2458. It amounted to 36 *l.* 13 *s.* 3 *d.*?—Yes, and there was a set-off.

2459. And you paid Mr. Stroud a guinea as part of the charges on June the 9th?—That was for a summons.

2460. Part of his expenses?—Yes.

2461. What did that leave owing by you to Mr. Stroud?—I did not know what it was till Mr. Stroud told me of it.

2462. You never saw the accounts?—I never saw the accounts till Stroud told me of it.

2463. And he told you you owed him 3 *l.*?—Yes.

2464. You never had the account?—I never asked for it.

2465. Stroud had done business for you before?—Yes.

2466. And

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2466. And since?—Yes, there was one case since.

2467. He conducted a prosecution on your behalf?—Yes.

2468. Let me get this very clear; there is some money due to you on that account?—It has been a long time ago; I have not heard anything about it.

2469. When was this last case?—A long time ago; last autumn.

2470. Why have you not asked about it?—There was no likelihood of my asking for it as long as he said I was indebted 3 *l.*

2471. Do you know what was owing to you? It might be more than 3 *l.*?—It cannot be that; I was two days at Gloucester.

2472. How much is owing to you? There is the county allowance to you as a witness; have you ever asked him for it?—I never asked him for it.

2473. That would be a matter of indifference to you?—I did not trouble about it

2474. You never asked him to render any account of how he made out the charge of the 3 *l.* against you?—I did not; I left it entirely in his hands. I did not know whether it was right or wrong; I thought it an extraordinary charge.

2475. Is that the way you generally conduct your business when people say you owe them so much, that you do not get an account?—No, it is not.

2476. Just tell me this; you went out of town at the time of the election?—Yes.

2477. Where did you go to?—I went to Prestbury and Woodmanthorpe.

2478. Did your wife go with you?—No.

2479. Did she persuade you to go?—She did not know that I was gone.

2480. Did she persuade you to go?—She might have said so.

2481. Did she?—I would not swear; not in the morning.

2482. You cannot tell whether your wife persuaded you to go away, or not?—She said so a few days before, previous to that day; she did not see me.

2483. Was it not by your wife's persuasion you went away from home, because you had so many customers on both sides that you did not want to offend them?—A few days before.

2484. And did she not tell you that it was better for you to go away; that you had so many customers, Yellows and Blues, that it would not do to offend them?—Yes, that is right enough.

2485. Mr. Stroud and your wife persuaded you?—When this money was offered.

2486. Who was it persuaded you to go away?—Mr. Stroud was the last.

2487. Now, Mr. Stroud passes your place of business every day to go home?—Yes.

2488. Now, did you really go out of the town of Cheltenham?—I did.

2489. How far?—I went to Cleve.

2490. How far is that from Cheltenham?—It is about two miles.

2491. You walked there?—No, I did not.

2492. You went out in a fly?—No, I went out in my own trap.

2493. And played at skittles there?—No.

2494. Where was it that you played at skittles all day?—Nowhere.

2495. Where did you go to from Cleve?—Prestbury first.

2496. How far is that from Cheltenham?—A mile and a half.

2497. How long did you stay there?—I left down at my yard about 12 o'clock. It is rather on one side of the town.

2498. Did you go from there to Cleve?—To Prestbury.

2499. Where did you go to from Prestbury?—To Woodmanthorpe.

2500. How far is that from Cheltenham?—Three and a half miles.

2501. Where did you go to from there?—To the other side of Cleve; to the "Rising Sun."

2502. The "Rising Sun" is at the top of the hill going out of Cleve?—Yes.

2503. The top of Cleve Hill?—Yes.

2504. Did you stop there any time?—No.

2505. Where did you go to from there?—I went just below, and came to a farm-house near Winchcomb.

2506. How long did you stop there?—About half-an-hour.

2507. Where did you go to from there?—I went home.

2508. Then you went driving round Cheltenham in a circle all day?—Yes.

2509. How many public houses were you at?—Not one.

2510. You said you were at the "Rising Sun"?—I did not call at the "Rising Sun."

2511. Now, let us understand thoroughly about Mr. Schreiber; did you not say just now that you should not know the man who was with Mr. Schreiber?—I said before I could not swear exactly.

2512. Did you not say that you should not know the man again if you saw him?—I said I should not know him. I should not exactly swear to him.

2513. You think that is the man (*referring to Mr. George Powell*)?—It looks like the gentleman.

2514. He was not an old gentleman?—He did not look like an old gentleman.

2015. Will you swear it was not? You say that is the man, you think?—If that is not the man it is one just like him.

2516. At what time did Mr. Schreiber call?—Five in the afternoon.

2517. Where were you; in your shop?—No, not in the shop; in another apartment at tea.

2518. Were you in the shop, or not?—No.

2519. Where were you?—At tea, in the kitchen.

2520. Who was present besides yourself?—There were some of my children and Mrs. Foster.

2521. And your wife?—She was in the shop serving at the time.

2522. And you are perfectly certain he asked you if you were in difficulties, and if any money was of use to you?—I am sure of it.

2523. What day?—About two or three days before the election.

2524. What day in the week was it?—I would not swear which day; it might be Monday or Saturday.

2525. How long before the election?—Not long.

2526. How long before the nomination day?—I would not say whether it was the nomination day or not; I will not swear to the day within one or two days; I did not keep any particular account about it.

2527. When did you first mention it to the other

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other side what you have told us to-day about Mr. Schreiber?—I said nothing about it, but Mrs. Foster was there and named it to the party, and then it came out.

2528. You did not mention it to anybody?—Not till it was named about.

2529. When did you mention it?—I will not swear any day.

2530. Who was it you mentioned it to?—I was called on by a party.

2531. Tell me; you know who it was?—It was a man named Morris called on me.

2532. Who was the other?—I don't know the other's name.

2533. Who is Morris?—A paperhanger.

2534. Is he one of Mr. Cheshire's touters?—I don't know whether he is a touter or not.

2535. Did you see Mr. Cheshire after Mr. Morris was with you?—I did so; I was subpœnaed first with the Speaker's warrant, and I was asked a question about it, and I gave the truth.

2536. By Mr. Cheshire?—Yes.

2537. Do you know a man called Thomas Saville, fly proprietor?—I do.

2538. Two or three weeks ago did he speak to you and say, "Well, Skinner, you are going to London"?—Yes.

2539. Did he say, "Is it true that you had 3 *l.*"?—No, he did not; he asked me what I had.

2540. Did you say, "I never had a penny, and no one ever offered me any"?—I did not; I swear it; I told him it was my business, not his.

2541. Do you know Mr. Morgan?—I do.

2542. You say your principles are Yellow?—Yes.

2543. Have you not canvassed in the municipal elections for the Blues with Mr. Morgan constantly for four or five years?—I don't consider that like a general election.

2544. You have one set of principles for the municipal elections and another for the general election, and put them on for a Sunday coat and an everyday coat?—Yes.

2545. Is it the fact that you did attend the Conservative registration meeting?—I have not attended any meeting at all.

2546. Did you attend the Conservative registration meeting?—No, I have not.

2547. Never?—Yes; I did for two years, but that is a matter of five years ago.

2548. When did you change your principles?—I have never changed them at all; I do not consider that ought to be taken up as principles in the way you are speaking of politics.

2549. Do not the two parties fight as hard as they do at the general election?—They do.

2550. When the municipal election is on, you fight for one side?—No; I do not fight, I divide as near as I can.

2551. How do you divide?—One on one side, and one on the other; if I know the parties, I give them one each.

2552. By the *Committee.*] You vote for the people you like best?—Yes.

2553. Mr. *Price.*] Did you tell Mr. Morgan that you could not afford to offend either party, "And I think I had better remain neuter, as I did in 1859"?—I did tell him that.

2554. Did you say, "I will vote for Schreiber if he is pushed for a voter"?—I did not.

2555. Did you say so?—I did not.

2556. Did you say it?—I said I shall not vote.

2557. Did you say, "If Schreiber is pushed for a voter, I will vote for him?"—I did not, sir.

2558. Opposite the "Trafalgar Inn;" do you recollect that?—Yes; he wanted to go and treat me with something, and I would not be done so.

2559. Did Mr. Schreiber come through the shop into the room where you were?—Yes.

2560. So that your wife must have seen him?—She saw him come.

2561. You said your wife was serving some one?—Yes.

2562. Was there anybody in the shop being served at the time Mr. Schreiber walked through?—Yes.

2563. Do you know the names of the people?—No, I do not.

2564. Where did the gentleman stay who was with him?—In the shop.

2565. With your wife?—Yes.

2566. All the time?—Yes.

2567. Your wife is not here?—No.

Re-examined by Mr. *Powell.*

2568. You say you never asked Mr. Stroud for an account of this 3 *l.*?—Yes.

2569. How long has he been acting as your attorney; how many years?—I don't think it is quite a twelvemonth.

2570. He had transacted several matters of business for you?—No other than those two.

2571. You have been asked about Saville and Morgan; whose touters are they?—Mr. Schreiber's, I suppose; they are very fast sort of men.

Examined by the *Committee.*

2572. When did you and your wife first arrange that you had better not vote; how many days before the nomination?—It was about a few days before.

2573. A week, or 10 days, or five days?—Not so many days; not so long as that.

2574. You had a conversation, and both of you came to some idea as to what you had best do, you and your wife too?—Yes; the arrangement we made.

2575. I am asking you if you and your wife talked the thing over?—Me and Mr. Stroud, between us.

2576. You say you and your wife talked the matter over?—Yes, and Mr. Stroud.

2577. Were you all three together, you and your wife and Mr. Stroud?—Sometimes we was, and sometimes we was not.

2578. I am asking you whether you and your wife took counsel together as to what you had best do at the election; is that so; without anybody being present?—By the instructions; what I said about the other little matters.

2579. I am asking you whether you and your wife talked the matter over together?—Yes; we talked the matter over together.

2580. When did you first do that?—That was within a week or so of the time.

2581. About a week before the election?—Yes.

2582. Was that the time that your wife advised you that you had better go, as you served both parties equally?—Yes.

2583. What did you say to her?—I said, "I have been offered this here, and I had better do so, and then there will be nothing said or known about it, and I will go away."

2584. Was

2584. Was that before or after you had seen Mr. Stroud?—Afterwards.

2585. You did not talk to your wife before you had seen Mr. Stroud?—No; not about these matters.

2586. About your going away and not voting for either party?—I did not.

2587. When did Mr. Stroud first talk to you about it?—I will not swear; it may be three weeks or a month, for all I know.

2588. Three weeks or a month before the election?—Yes.

2589. What did he say to you three weeks or a month before the election?—Mr. Stroud wished me to vote for Mr. Schreiber, and thought it would be better for us; I did not wish to offend either party, as I said before.

2590. Then the conversation you spoke of before took place three weeks before the election?—More or less.

2591. About three weeks?—About that.

2592. Full three weeks?—When it began.

2593. Now, you say that the conversation with Mr. Stroud was quite three weeks before the election, and that it was in consequence of the conversation you spoke to your wife about it?—Yes, and made the arrangement.

2594. You never spoke to your wife before you spoke to Mr. Stroud?—No; I never thought anything at all about it.

2595. Who first made the proposal that you should go away and not vote, you or Mr. Stroud?—Mr. Stroud.

2596. He first proposed it to you?—Yes, if I am to speak the truth.

2597. We suppose you are speaking the truth; are you quite sure you are speaking the truth now?—I am.

2598. Are you quite sure you have been speaking it all along?—Yes, as far as I can.

2599. Did you not tell Mr. Stroud when you first spoke to him, that you did not mean to vote for either party, as you had friends on both sides?—Yes.

2600. It was not Mr. Stroud that spoke to you?—It was Mr. Stroud that spoke to me on that matter.

2601. What did Mr. Stroud say to you first?—He began, as I said before, stating that if I voted for Mr. Schreiber, we should see benefit in the town, and like that. I said I had not made up my mind then, nor did not for some time, and the arrangement came out about the 3 *l.*

2602. What was said by you in answer to that?—What I said all along, that I should not decide on voting for either party.

2603. You said that to Mr. Stroud?—Yes, I kept to that, that I would not till the last; then it came out about the 3 *l.* to go away, and I went. *W. Skinner.* 1 May 1866.

2604. Was it at the first meeting, quite three weeks before the election, that Stroud suggested that the 3 *l.* might be given up if you did not vote for either party?—No, not till after then.

2605. When was it?—About a week or so before the election, or more; I would not swear to a few days either way.

2606. When he first mentioned about the 3 *l.*?—Yes.

2607. Mr. *Price.*] Did not your wife, on the morning of the election, say you had better go out of the way, if you did not want to vote?—No.

2608. You swear that?—Yes.

2609. She said nothing to you that morning about going away, if you did not intend to vote?—No; she knew what I was going to do.

2610. Did she say anything to you on the very morning of the election, about going out of the way if you did not intend to vote?—No, I do not remember her saying such a word.

2611. You will not swear she did not?—I am confident she did not say it

2612. Not that morning?—Not that morning then.

2613. Before you went out to take your drive, did she say you had better go away if you wanted not to vote?—She did not know I was gone.

2614. Did she say so?—She did not.

2615. At no time that morning?—No time that morning.

2616. Nor the night before?—No, I don't know that she did.

2617. By the *Committee.*] You have stated now that it was about a week before the election that Stroud offered to forego the 3 *l.*?—When he first named it, and I would not decide it then.

2618. Was anybody with him then?—No.

2619. Was that before Mr. Schreiber saw you, or after?—Before.

2620. Stroud was then alone?—When he first spoke; then I saw Mr. Stroud again; then I saw Mr. Schreiber afterwards.

2621. You saw Mr. Stroud again?—Yes, and then we had arranged it, and Mr. Schreiber knew of it.

2622. What made you say that Mr. Schreiber knew of it?—Because he told me there was the arrangement between me and Mr. Stroud.

[The Witness withdrew.

MARY ANN FOSTER was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows.

2623. Do you live at Dodd's cottages, at Cheltenham, near Mr. Skinner, the last witness?—Yes. *Mary Ann Foster.*

2624. Do you know Mr. Frederick Stroud?—Yes.

2625. Have you seen him at any time talking to Mr. Skinner?—Yes.

2626. More than once?—More than once or twice.

2627. Where have you seen him talking to Mr. Skinner?—I saw him at Mr. Skinner's little room door, in the yard.

2628. And you have seen him how many times?—More than once or twice.

2629. Do you remember being at tea with Mr. Skinner one night?—Yes.

2630. Where were you?—I was sitting by the kitchen window, near the door in the kitchen.

2631. Where was Mrs. Skinner?—In the shop.

2632. Do you remember anybody coming in there?—Yes.

2633. Who was it?—Mr. Schreiber.

2634. Did you hear what passed between him and Mr. Skinner?—Yes; I noticed a little of their conversation.

2635. As soon as you heard it, tell us what passed; what Mr. Schreiber said to Mr. Skinner,

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ner, and what Mr. Skinner said to Mr. Schreiber? —He asked Mr. Skinner what would satisfy him for his vote; for what he asked he would give.

2636. Did you hear Mr. Skinner say anything to that?—I don't remember his making any answer; he laughed over it.

2637. Was anything more said?—Yes.

2638. Tell us what?—He asked him if he was in any difficulties; if money was any object.

2639. What did he say to that?—I don't remember his making any answer to that.

2640. Was anything more said?—I don't remember anything more, except that he said that Mr. Stroud and him would settle it between themselves.

2641. Who said that?—Mr. Schreiber.

2642. Do you remember anything more that passed?—No.

Cross-examined by Mr. *Price.*

2643. Have you given us the exact words?—Yes.

2644. Mr. *Powell.*] Did you at any time see Mr. Stroud in the house when you were present; at any time when Stroud had a conversation with Skinner?—No.

2645. Mr. *Price.*] You have given us the exact words?—Yes.

2646. The exact words?—Yes.

2647. As I understand, the first thing Mr. Schreiber said was, "What will satisfy you for your vote"?—Not exactly; the first thing was, he passed the compliments of the day, and so on.

2648. And then said, "What will satisfy you for your vote"?—"What will satisfy you, I will give."

2649. Did he say, "What you will take, I will give"?—"What will satisfy you, I will give."

2650. Do attend to me; did he say, "What you will take, I will give"?—I don't remember that.

2651. Was that the expression used?—I remember, "What I promise you, I will give."

2652. Not "What you ask"?—"What I promise, I will give."

2653. Why did you say, "What you ask, I will give," if that was not true?—He asked him what would satisfy him for his vote; what I promise, I will give.

2654. Why did you say (and you told me you swore to the very words), "What you ask, I will give"; do you pretend to say that you remember the very words I have drawn your attention to?—I remember his saying, Mr. Stroud and him would settle it.

2655. That you swear?—Yes; that Mr. Stroud and he would settle it.

2656. Having had your two answers read over to you, are you positive that you remember what was said before that?—Yes; I remember what he said very well indeed.

2657. Why have you given two accounts of it; you say you can swear to the very words; you swear positively (do be careful) that Mr. Schreiber said that he and Mr. Stroud would settle it?—Yes.

2658. Those are the very words?—Yes.

2659. Between themselves?—Yes.

2660. That was all that Mr. Schreiber said about Mr. Stroud?—Yes.

2661. And the exact words he used?—Yes.

2662. You swear that?—Yes.

2663. Who did you first mention it to, that you heard this conversation?—I mentioned it to my next-door neighbour.

2664. What is her name?—Allen.

2665. Is she here?—No.

2666. Who did you mention it to besides?—I did not mention it to anyone after.

2667. Did you never mention it to Mr. Cheshire?—Yes; I did not see Mr. Cheshire till he came to me.

2668. How many times?—Once or twice.

2669. Did he take down from your lips what you heard?—Yes.

2670. Has he read it over to you many times?—Yes.

2671. When was the last time you had this conversation read over to you?—Some time ago.

2672. How long ago?—Five or six weeks.

2673. You have not had it read over since then?—No.

2674. Will you swear that?—Yes; I have not seen Mr. Cheshire for some time.

2675. Have you not had your evidence read over since five or six weeks ago?—No.

2676. Or have you been allowed to read it?—No.

2677. Have you been allowed to read it yourself?—No.

2678. Have you been told it by anybody?—No.

2679. Have you spoken about it?—No.

2680. Not for six weeks?—No.

2681. That you swear?—Yes.

2682. Did you come up with Skinner?—No.

2683. Are you staying at the same place with him?—Yes, at Skinner's sister's.

2684. Had Skinner mentioned it to anybody before you had?—Not that I am aware of.

2685. How soon after you mentioned it to your next-door neighbour did you see Mr. Cheshire, or did Mr. Cheshire come to you?—Some time afterwards.

2686. Did you see anybody else with Mr. Schreiber?—No, I not did see anybody else; but there was somebody else with him, who, I believe, stayed in the shop; I could not see into the shop.

2687. Could Skinner see into the shop where he was sitting?—Yes, he could; he was standing opposite the shop door, I was standing behind the kitchen door.

2688. Did Skinner remain there until Mr. Schreiber went out through the shop again?—I think they both went into the shop together, I will not be sure.

2689. Are you intimate with the Skinners?—I am next-door neighbour, and I work for Mrs. Skinner sometimes.

2690. Did you work for her just before the election?—Yes.

2691. Do you know that Mrs. Skinner persuaded her husband to go away, that he might not offend his customers?—She never talked on private business.

2692. Did you hear anybody say anything about the gentlemen who was in the shop?—I heard there was another gentleman with Mr. Schreiber.

2693. Did you hear Mr. Skinner say who it was?—No.

2694. Did your hear from Mrs. Skinner?—No.

2695. Did you hear him described?—No.

2696. Nor the name?—No.

2697. And you have never said it was a tall gentleman with grey hair?—No.

2698. Nor that it Mr. Fortescue?—No; I did not

not know the gentleman; I heard there was another gentleman with him.

2699. You did not describe him at all?—No, I did not.

2700. Let us quite understand you; you say, Skinner smiled; upon the first occasion when he was spoken to he laughed, and to the other question he made no answer; that was all on that occasion, and out Mr. Schreiber went?—Yes.

2701. Skinner made no remark of any kind; he laughed at the first conversation?—Yes.

2702. Did Skinner say anything that you heard?—No.

2703. Skinner laughed; then Mr. Schreiber said something else; no answer was given, and then Mr. Schreiber went away?—Yes.

Re-examined by Mr. *Powell*.

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2704. Did Mr. Skinner say anything at all during the time that Mr. Schreiber was talking to him in the kitchen?—They had a conversation together, but I do not remember it.

2705. Have you given us, to the best of your recollection, what passed on that occasion?—I have.

2706. By the *Committee.*] You seem to remember all that Mr. Schreiber said, it is odd that you do not remember how Mr. Skinner answered him; if you heard one, why did you not hear the other?—One cannot always remember every word.

2707. When did you come up to town?—On Sunday.

2708. Last Sunday?—Yes.

Mrs. Maria Gibbons was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

Mrs. *M. Gibbons.*

2709. Are you the wife of Thomas Gibbons?—Yes.

2710. You live at Burton-street, Cheltenham, and your husband is a voter?—Yes.

2711. Do you know Mr. Barnfield, of Cheltenham?—Yes, I know him perfectly well.

2712. He is a grocer, I believe?—Yes.

2713. In Winchcomb-street?—Yes.

2714. Tell me, did he say anything to you some time before the election; did he speak to you about your husband and his vote?—Yes.

2715. How long before the election?—It may be a week; I could not exactly say to a day.

2716. Tell us what he said about your husband's vote?—He asked me if my husband was going to vote; I told him I thought he was; I asked him, what brought the blue waistcoat on him.

2717. Had he a blue waistcoat on?—Yes; he said, "We are going to vote for Mr. Schreiber." I said "Oh, are you"? He said, yes, he was. He said, "Will your husband vote for him"? I said, "I will speak to him about it." He said, "Keep your vote in reserve till I bring some one down for it.

2718. What did you say to that?—I said, "Very well, sir."

2719. Did you see him again before the election?—I did.

2720. What day was that?—I could not exactly say whether it was the Monday or the Tuesday, but I rather think it was on the Monday; I will not be positive.

2721. Previous to the election?—Yes.

2722. Was any body with him?—A gentleman was with him whom I did not know, but I have since ascertained to be Mr. Powell, a commercial traveller.

2723. Do you know now who he was?—His name is Powell, a commercial traveller.

2724. Where did you see them?—I saw them at my own house.

2725. Now tell us what took place?—I was going out at the door and I saw these gentlemen. I saw Mr. Barnfield, below our house, enquiring for me, and there was a gentleman with him. I turned into my house again, and turned into a little back room. They came and knocked at the door, and my daughter went to the door, and he asked if I was in, and she said, "Yes, if you want her." Mr. Powell spoke up, and said, "We do." And then they came in and took a chair, and sat down.

2726. Before that, was any thing said to your daughter?—They asked if I was at home.

2727. Afterwards they came in?—They took a chair and sat down, and said, "I want to speak to your mother." And I said to my daughter, "You leave the room"; she stayed by the door, and heard all that was said. Mr. Powell asked me if my husband had seen any person about his vote? I said, he had not seen any one. My husband was ill.

2728. By the *Committee.*] Who asked you this question?—Mr. Powell.

2729. Who else?—Mr. Barnfield was with him.

2730. Mr. *Powell.*] What more passed?—Then he looked round, and there was a common print of a lady, hanging up——

2731. By the *Committee.*] What was the picture?—

2732. Mr. *Powell.*] Is that the picture (*producing a print, framed and glazed*)?—That is my picture. He said he should very much like to have that picture.

2733. He looked round and saw a picture, what did he say to the picture?—He said, "I should very much like to have the picture, it is very much like my wife; what will you take for it? She has such a beautiful arm; it is so much like my wife's arm, I should so much like it." I said, it was a very common one, I don't want to take anything for it.

2734. What did he say?—"Will you consider of it; will you consider what you will take? I will call again." I said, "Very well." The same evening I had occasion to go to Mr. Barnfield's shop, which I was in the habit of doing. Mr. Powell tapped me on the shoulder as I came out of Mr. Barnfield's, and said, "Here is one of our friends." I said, I was not aware that I had any friends at all. He said, "Have you made up your mind; will you take two guineas for the picture"? I said, "I have not yet thought anything more about it." He said, "You had better take the two guineas." I said, "I have written to my son for 5*l.*; it is very likely I shall have it to-morrow, and then I shall not want it."

2735. Did you part then?—He said, "You had better consider, and I will call on you again to-morrow." I said, "I shall not be at home, I shall be out at work." He said, "You can consider

Mrs. *M. Gibbons.*

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sider of it." He came, but I did not see him afterwards, but my daughter saw him.

2736. You did not sell the picture, and your husband voted for Colonel Berkeley?—Yes.

2737. By the *Committee.*] Who was present at this last conversation?—

Mr. *Powell.*] She said some gentleman was there, but she does not know who it was.

2738. By the *Committee.*] Were those the only persons present at the conversation between you and Powell; it was at Barnfield's shop?—No.

2739. Who was present at Barnfield's shop?—No one ever saw me at all.

2740. Was it in the street, then?—Yes.

2741. Who was present?—No one else but the gentleman who was with Mr. Powell, and my daughter and me.

[The Witness withdrew.

EMILY GIBBONS was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

E Gibbons.

2742. ARE you the daughter of the last witness?—Yes.

2743. And do you live with your father and mother in Burton-street, Cheltenham?—Yes.

2744. Do you remember a short time previous to the election some person coming to your father's house?—Yes, it was either Monday or Tuesday.

2745. Do you now know who that person was?—It was Mr. Barnfield, a grocer, and a gentleman whom I did not know then, but who I have since ascertained to be Mr. Powell, a commercial traveller.

2746. We hear that they came to the door and knocked?—Yes.

2747. Did you go to the door?—Yes; Mr. Barnfield asked me if my mother was in, I said "Yes, do you want her"?—He said, "Yes." I asked them in, and they both took seats.

2748. Go on?—They took seats, then I called my mother in; then Powell nodded to her and said, "I want to speak privately to you." My mother ordered me out, and said, "These gentlemen want to speak privately to me."

2749. Did you go out?—I went out, and stayed inside the door; the other side of the door.

2750. Did you hear any thing that passed?—Mr. Powell said, "You know what we came for." Mother said, "Yes, I do." Then he looked round, and he said, "What a beautiful picture! how I should like to purchase that picture! it has such a beautiful arm; it is like my wife's arm." My mother said, "It is such a common picture." He said, "You had better consider about it, and I will call again."

2751. Then did they go away?—Yes.

2752. Were you, subsequently to that, at Mr. Barnfield's, with your mother?—I went to Mr. Barnfield's, previously to that, in the evening; I believe it was the same evening.

2753. You mean by "previously," after that?—Yes, after that; and as we left the shop, coming out, Mr. Powell touched my mother on the shoulder, and another gentleman was with him, and he said, "Here is one of my friends." He said, "Have you considered what you will take for the picture; will you take two guineas for it"? My mother says, "I have not thought anything about it; I have written to my son for 5 *l.*, and expect to get it in the morning, and then I shall not want your money." He said, "You had better consider about it, and I will call again." He called four or five times; I answered the door, and told him my mother was not at home, although she was.

Cross-examined by Mr. *Cooke.*

2754. Repeat that over again, to see if we have got it correctly?—I went to the door, and it was Mr. Powell.

2755. You said it was a gentleman I did not know?—Mr. Barnfield and a gentleman I did not know, whom I have since ascertained to be Mr. Powell, a commercial traveller. A knock came to the door, and it was Mr. Barnfield, the grocer, and a gentleman whom I did not know then, but have since ascertained was Mr. Powell, a commercial traveller. Mr. Barnfield asked me if my mother was at home. I said, "Yes." They both took seats. When I called my mother in, Mr. Powell nodded to my mother and said "I want to speak to you privately." I left the room, and stayed inside the door; and the first word Mr. Powell said was, "You know what I am come for"; and he looked round the room, and he said, "What a beautiful picture! how I should like to purchase it! What will you take for it? It has got such a beautiful arm; it is so much like my wife's arm; you had better part with it." My mother said, "It is so common a picture." He said, "You had better consider what you will take for it." In the evening we went to Mr. Barnfield's to get some provisions, and, coming out, Mr. Powell tapped my mother on the shoulder, and he said, "Have you considered what you will take for the picture; will you take two guineas for it"? My mother said, "I have written to my son for 5 *l.*; if I get it in the morning I shall not want your money." He called four or five times the next day, but I said my mother was not at home.

2756. Did you write that down yourself at first, or did somebody write it for you?—I did not write it, and nobody has ever written it down.

2757. Then it has never been written down, what you told us to-day?—The evidence has been taken what we had to say, but not the same day.

2758. When was the evidence taken down that you had to say?—I cannot say which day it was.

2759. How long ago?—I cannot say whether it was the beginning of February or before that.

2760. Where was it taken down?—At Mr. Boodle's office.

2761. He is one of the agents?—Yes.

2762. Have you ever mentioned all this to anybody before?—Never; we told several that came to our house about it.

2763. There were two gentlemen looking at this beautiful room?—Yes.

2764. Is the door you stood inside of a door of wood or of glass?—A door of wood; but it was not quite close.

2765. You went outside?—Yes; but I did not shut it.

2766. Did you keep the door open, so that you could look through?—Yes, a little way.

2767. And you put your eye to see?—Yes, I did.

2768. Did

2768. Did you see and look round the room in that way?—Through a little crevice.

2769. You saw him look round?—Yes.

2770. You were one of the Yellows at the election?—Yes; I am not any colour, but my father is a Yellow.

2771. Did the Yellows come to the house very often?—I go to work, so that I don't know much about them.

2772. Then you were only at home when these two gentlemen were there?—I was at home when some of the Yellow party came. Mr. Alder came for one.

2773. That is Alder of the "Wellington"?—No, it is Alder the upholsterer.

2774. Who came the day before the polling to your father, of the Yellows?—I forget who came. Mr. Dean came.

2775. I want to see if your memory is good for anything; who knocked at the door from the other side?—Mr. Hall; that is, the gentleman who keeps the public-house in Bridge-street.

2776. Who came the day before?—He came the day before.

2777. The very day that these two gentlemen came?—Mr. Alder came after they came.

2778. Did you let him in?—Yes.

2779. And he saw your mother?—Yes.

2780. Did he look round your room?—We showed him the picture, and told him of it.

2781. What did you tell him?—We told him that the gentleman wanted to purchase the picture, but he did not offer anything for it.

2782. Where was your father then?—My father was in the kitchen, because he was ill.

2783. What time did he vote the next day?—I cannot say; I was at work in the morning.

2784. Who showed you Powell, that you might know him again?—Who showed me Mr. Powell?

2785. Yes?—I see him at the court.

2786. What court?—At the Cheltenham county court.

2787. Where?— One Saturday morning; I cannot say the day.

2788. Who took you there?—Our lodger took me there.

2789. Were you taken there so as to be able to see him?—Was I taken there to see him?

2790. Were you taken to the county court in order to be able to see if you could identify Powell?—Yes, sir. No, sir, I was not taken; I went.

2791. Did you go there for the purpose of seeing whether Powell was the man who came to you with Mr. Barnfield?—It was one Saturday morning.

2792. How long ago?— Directly after the election.

2793. Were you told at that time to see after Powell?—I cannot speak to the day. I went to the court to see him. I can swear to the man if I saw him. *E. Gibbons.* 1 May 1866.

2794. Was it before Christmas that you went to the county court?—Well, I cannot say.

2795. Yes, you can, if your memory is worth anything. Did you go to the county court before Christmas, for the purpose of looking at this man?—It is since Christmas.

2796. Was it since your statement was taken down at Mr. Boodle's office, or before?—Since.

2797. Had you ever seen that man that you saw through the chink of the door between the time of the election and after you were in Mr. Stroud's office?—Yes, I met him in High-street. I said, "That is the man who wanted to buy our picture."

2798. How did you know that he was to be at the county court?—I did not know he was to be there. I was going down into Regent-street. Our lodger was there, and said "There is the man who wanted to buy our picture."

2799. Was the lodger there?—No, we saw him at Mr. Barnfield's. He asked us if it was a black-whiskered gentleman. He said, "It was." Our lodger saw him in the street with Mr. Barnfield; and that is how he knew him. He said he believed it was the same man. We went to see him in the county court, and when we came out we told him it was him. I was certain it was him.

2800. When your evidence was taken down first, you were only able to say it was a commercial gentleman?—Yes.

2801. Then the next time you were able to say his name was Powell?—We did not know his name until we found out it was Mr. Powell.

Re-examined by Mr. *Powell.*

2802. Who was the first person to whom he was mentioned in your presence?—Who we told to?

2803. Who did you tell it to first?—I think I told it to Mr. Hall first.

2804. Were you present?—Yes, I was present when she told it to Mr. Dean.

2805. Is Mr. Dean one of the petitioners?—Yes.

2806. When was it told to Mr. Dean?—Towards the same evening.

2807. Towards the evening of the same day?—Towards the evening of the day that he said about the picture, and before the money was offered.

2808. Then after this had been told these persons, you went to Mr. Boodle's office to have your evidence taken down?—Yes.

[The Witness withdrew.

Eliza Biddle is called in; and, having been sworn, is Examined by Mr. *Powell,* as follows:

2809. Are you the wife of James Biddle, who lives at Cheltenham, and is an elector of that borough?—Yes. *E. Biddle.*

2810. What is Biddle?—A carpenter.

2811. Did your husband at the time of the election keep an inn called "The Royal Arms"?—"The Bengal Arms."

2812. On the night before the election, did anybody come to your house?—Yes.

2813. Who were they?—Mr. Byrne, I think it was.

2814. Is that Mr. Byrne of the Loan Fund?—Yes.

2815. Did anybody come with him?—Yes.

2816. Who was that?—I don't know.

2817. Do you know now who it was?—No, I do not.

2818. Eh?—No.

2819. Have you seen the person since?—I don't know that I have.

2820. Should you know him if you were to see him?—No, sir.

2821. Eh?—No, sir, because I don't remember his features; but I know there were two of them.

2822. What time was it they came?—They came one day before, and again in the afternoon.

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2823. Did either of them speak to you?—Yes.

2824. What?—They asked me if I knew which way my master was going to vote. I told them I did not. They asked me if I had not heard him say. I said I had not.

2825. Well, what took place after that?—They asked me if I would speak to him, and ask him if he would vote for Mr. Schreiber. I said I would.

2826. Did anything more pass on that occasion?—No, but they said they would call again.

2827. Did they do so?—Yes.

2828. When did they call again?—In the evening.

2829. Tell us what took place then, if you please?—My husband was not then at home.

2830. Well, what did they say to you?—I told them he was not at home, and I could not give them an answer.

2831. Did nothing more pass then?—No.

2832. Did you see them again?—Not till the election day.

2833. What took place on the election day?—There were several parties came on the election day.

2834. Now did you see these two parties again?—Not the same that came with Byrne. It was Powell and Mr. Byrne.

2835. Then Mr. Powell was not the person who had come on the previous occasions with Mr. Byrne?—No.

2836. How many times had Byrne and the other person whom you do not know called before the election day?—Twice.

2837. On the election day you say that Powell came, who came with Powell?—Byrne.

2838. Tell us, if you please, what passed?—They asked me if my husband was at home. I told them he was. They asked me where he was. I said, in the cellar. Then I told him he was wanted, and he came.

2839. Upon that was anything said about a room or anything?—Yes.

2840. I want you to tell the Committee what; tell me when they came in; recollect all that was said; begin at the beginning?—It was about half-past 10 when they came.

2841. What was said?—They asked me if we had a private room. I said we had not. They asked me if I would take 5 *l.* for a picture. I said, "For what picture?" I looked round the room and said, "For what picture?" They said, "That is what we say if you vote for Mr. Schreiber;" and I said, that I did not know, but I would go and speak to my husband.

2842. What took place then?—Then my husband came.

2843. What took place then?—They asked him.

2844. They asked your husband?—Yes.

2845. What did your husband say?—I was not in the room. I was attending to my business then.

2846. Did you leave them and your husband together?—Of course. I wanted to attend to the customers, because Mr. Byrne was paying for the beer; we were drawing and delivering it.

2847. You have not told us that before. Had any beer been had?—Yes; they had some beer as soon as they came in.

2848. Was beer supplied to them?—Yes; and the house was filled with people, and they were to have what was wanted, and they would pay for it.

2849. Who said that?—Byrne and Powell.

2850. Was beer supplied?—Yes, there was.

2851. When was it they wanted to speak to your husband. Where was your husband?—In the cellar. He came from the cellar into the front room.

2852. Before they came to the cellar, did they go to him, or towards you?—They came into the front room. They asked him to vote, and then after that, they went into the cellar again, and they followed him into the cellar.

2853. Were you able to hear what took place there?—Yes.

2854. How far did you go down your cellar?—About three steps of the cellar.

2855. Now, what did you hear pass?—They asked him if he would take 5 *l.* for a picture.

2856. Who asked him?—Mr. Powell.

2857. Asked your husband?—Yes.

2858. Well, go on. What did your husband say to that?—He said, "No, he would not." And Mr. Powell asked him, if he would allow him to go and draw a glass of ale, he would give him 5 *l.* for it. My husband said, "No, he didn't allow anyone in the cellar but those who belonged to the house." He had the 5 *l.* note in his hand.

2859. Who had?—Powell.

2860. Did you hear him say anything?—There was a party came up and said, "This man is offering bribe money."

2861. What party was that who came up?—I don't know.

2862. Some of the Yellows, I suppose?—Several of them. This man says, "They are offering bribe money;" and Mr. Hawkes came in at the same time. Then he asked my master if he would meet him up at the porter stores in Winchcomb-street.

2863. When was it the Yellows came in?—They were at the same time.

2864. What became of them when the Yellows came in?—Mr. Byrne had left the house. When the Yellows came in, he said, "I will go, and leave you to do the best you can."

2865. Byrne said to Powell?—Yes.

2866. What became of Powell when the Yellows came in?—He asked my master to go and meet him in Winchcomb-street, and then he left word that as much beer as they wanted they would pay for.

2867. Was that beer supplied by you?—Yes; they were to pay for it.

2868. Who were to pay for it?—Powell and Byrne.

2869. Do you know how much was paid for it?—No, I do not.

Cross-examined by Mr. *Price*.

2870. Who was it had the 5 *l.* note?—Mr. Powell.

2871. Where was it he offered the 5 *l.* note?—On the cellar steps.

2872. You were there?—Yes; and this brewer drawing beer down at the same time.

2873. And the Yellows?—They came up at the same time.

2874. They saw what he was doing?—Yes.

2875. They said, "He is offering money?"—"He is offering bribe money."

2876. They saw the 5 *l.* note?—Yes.

2877. They came up and caught him doing it, you say?—Yes.

2878. How

2878. How long had they been there?—They just came in.

2879. Did they come into the cellar?—No, they came up to the cellar door.

2880. How far down the steps was Powell?—About three steps.

2881. Where was your husband?—Down at the bottom; and the brewers down below at another barrel.

2882. Powell could see the brewer there?—Yes.

2883. And he was only on the third step: where were you?—I was behind Mr. Powell, taking the beer over Powell's shoulder.

2884. A little lower down?—I was above Powell.

2885. You said behind?—Yes, I stood at his back.

2886. How many of these Yellows came in?—I don't know. I can't say.

2887. What became of Powell. Did he stay there after the Yellows said this?—He stayed there a few minutes, and kept paying for beer.

2888. For the Yellows?—No; he didn't know who had it.

2889. He paid for these people who said, "These men are offering bribe money?"—No; they had none of it.

2890. They drank Yellow beer, not Blue beer?—Well, I don't know.

2891. Is your husband a Yellow?—I don't know which he is.

2892. Which way did he vote?—For Colonel Berkeley.

2893. Then he voted Yellow?—Yes; that was his principles.

2894. Did you ever hear your husband say, "I will tell you what it is, them as spends most money in my house will have my vote"?—No.

2895. You never heard that?—No.

2896. Nor anything like it?—No. *E. Biddle.*

2897. Eh?—No. 1 May 1866.

2898. Did he complain very much about somebody not having paid him for some beer that had been had at the last election by the Blue party?—There was one quart the Blue party did not pay for.

2899. That made him grumble?—He said they ought not to have called for it if they did not intend paying for it. He didn't like it at all.

2900. He spoke of that at the election of 1865, did he not; this quart that had not been paid for?—I beg your pardon, sir?

2901. Did he not complain at this last election that there had been a quart left over from 1859 by the Blues?—No; when they were voting for the borough they had beer for the Commissioners.

2902. Did not your husband complain at the last election of a quart of beer being owing from 1859?—Not that I am aware of.

2903. You said just now that he did?—That was the quart they had then which was not paid for.

2904. In 1859?—Not 1859, of course not.

2905. When then?—This last election; there was a quart they did not pay for then.

2906. My question to you is whether he did not complain of a quart of beer being owing at the election of 1859?—No.

2907. When did he complain then about this quart of beer?—He said they had gone off and there was a quart of beer which was not paid for.

2908. When was that; before he voted?—No, after.

2909. After he voted?—Yes.

2910. Are you sure?—Yes; that was another party that came in after that had that quart of beer that was not paid for.

[The Witness withdrew.

JAMES BIDDLE is called in; and, having been sworn, is Examined by Mr. *Fallon*, as follows:

2911. Is your name James Biddle?—Yes. *J. Biddle.*

2912. Are you a voter for the borough of Cheltenham?—Yes.

2913. For whom did you vote at the last election?—Colonel Berkeley.

2914. Did you keep the "Bengal Arms"?—Yes.

2915. In Stanhope-street?—Yes.

2916. On the polling day did anybody come to your house?—Yes.

2917. Who was that?—Mr. Powell and Mr. Byrne.

2918. Did anything pass between you and them; any conversation?—Yes; after he had been in the house a little time.

2919. Tell us what passed between you?—I was in the cellar when he came in, and he sent my missus after me. He wanted to see me. I went in, and he asked me who I was going to vote for. I told him I didn't think I should vote at all.

2920. Mr. *Price.*] Who asked you that?—Mr. Powell.

2921. Mr. *Fallon.*] Well, what next?—He asked me which way he could get my vote.

2922. Well, what next?—I said I didn't know. He said, "Would money get it?" I said I did not wish to have anything to do with it.

2923. Anything else?—Then he asked me if I had got a picture.

2924. What then?—He said he would give me 5 *l.* for it.

2925. Well?—I said, "No." Then I left him with my missus, and I went into the cellar then. We were drawing beer. He came and stood on my cellar steps, and he said if I would let him come down and draw a glass of ale he would give me 5 *l.* for it. I said I would not allow him or anyone else in the cellar except the people belonging to the house.

2926. Did anything else pass?—Then he asked me if I had got a private room that he could see me and speak to me without people hearing, and I said, "No, I had not." Then he asked me if I would meet him at Winchcomb-street.

2927. Where at Winchcomb-street?—At the "Porter Stores."

2928. Is that Aldlis's "Porter Stores"?—Yes, I think so.

2929. Did you see anything?—I see the note in his hand.

2930. Which note?—A 5 *l.* note.

2931. In whose hand?—In Powell's hand.

2932. Was anybody present during this conversation?—Byrne was gone then.

2933. Did anybody come in?—Yes.

2934. Who was that?—There was Compton with me in the cellar.

2935. Did any people come into the house?—There were several people in and out. I couldn't

J. Biddle.

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tell who they were because I was down in the cellar.

2936. Did any of the Yellows come?—Yes, some of them.

2937. Who were they. Can you tell me any of their names?—I couldn't tell, sir, because I was down in the cellar. I couldn't see.

2938. Then what happened when the Yellows came?—They had their conversation with themselves. Of course I couldn't hear because I was down in the cellar.

2939. What became of Powell and Byrne?—They went away.

2940. Then Powell went away?—Powell went away, and asked me to meet him in Winchcomb-street.

Cross-examined by Mr. *Price.*

2941. Byrne had gone before, and left Powell in the cellar?—Not long.

2942. He had gone?—He went out of the front room.

2943. Was there a fly there waiting for Byrne?—I cannot tell.

2944. You were in the front room?—I was in the room; but I did not look out at the door to see if there was a fly or not.

2945. How long was he there?—He might be there a quarter of an hour.

2946. Will you swear he was there five minutes?—I cannot swear at all, because I did not look at the time.

2947. Will you swear he was there two minutes?—I will not swear at all. He might be there 10 minutes or a quarter of an hour.

2948. He might be there a whole day, you know?—He was not there so long as that.

2949. Did Mr. Stroud canvass you?—Yes.

2950. Did you tell him "Them as spends most money in my house will have my vote"?—No.

2951. Will you swear that?—Yes.

2952. Nothing of the kind?—Yes, I will.

2953. Nothing of the kind?—Yes, sir, I will.

2954. Did Mr. Stroud say "Very well; then I cannot do anything with you"?—I don't remember his saying anything of the sort.

2955. Did you vote for Colonel Berkeley?—Yes.

2956. Do you get anything for it?—No.

2957. Is Mr. Hawkes your landlord?—No.

2958. Do you know a man of the name of Hawkes?—Yes.

2959. What is he?—A traveller for Mr. Turner.

2960. Did Mr. Hawkes come to you about your vote?—He came down there in the morning.

2961. What morning?—The morning the election came off.

2962. Had he been to you more than once about your vote?—He came down twice.

2963. Did he say which way your landlord wished you to vote?—He said he would not have anything to do with it; I could vote which way I liked.

2964. What did he tell you?—Who?

2965. Hawkes?—He did not come about my voting at all.

2966. Not a word said about it?—He may have mentioned it, but he did not say anything about which way I was going to vote.

2967. What was said about your vote?—I cannot remember what was said.

[The Witness withdrew.

GEORGE COMPTON was called in; and, having been sworn, was Examined by Mr. *Powell,* as follows:

G. Compton.

2968. ARE you a brewer?—I am.

2969. Were you upon the day of the poll at the last election for Cheltenham at Mr. Biddle's house?—Yes, I were.

2970. Did anybody come in while you were there?—Yes.

2971. Who was it?—Mr. Powell, and another man.

2972. Do you know who the other man was?—I don't know him.

2973. Have you seen him since?—I don't know him at all.

2974. Where did you see them?—I was down in the cellar drawing beer.

2975. Where were they?—Mr. Powell stood at the corner; I was drawing beer down in the cellar, and Mr. Powell was leaning against the place.

2976. The steps?—The cellar steps.

2977. Did you hear him say anything?—I did.

2978. What did you hear him say?—He said he would give 5 *l.* for a glass of ale, or he would give 5 *l.* if they would allow him to draw one, on condition that he would vote for Mr. Schreiber.

2979. Did you hear anything more said?—Yes; there was a lot of talking; they said something about—the missis was there.

2980. I only want you to tell us what you heard?—He said he would give 5 *l.* for a picture; that was afore.

2981. Before he said about the glass of ale?—Yes.

2982. Tell us what he said first of all?—He came into the house and looked round, and I saw another man; he asked for some beer, so I went down into the cellar, and I brought some beer up out of the cellar.

2983. You went and drew the beer?—I did; they were talking about the picture when I went in.

2984. What did you hear said about the picture?—I heard him say he would give 5 *l.* for a picture.

2985. What was said to that?—Mrs. Biddle said I was busy at the time.

2986. I don't want you to tell us what you did not hear; tell us what you did hear, did you hear Mrs. Biddle say anything?—She said, "Which picture do you mean"? Let me see, what is it; there was something before that (*pausing*).

2987. Recollect what passed?—I was occupied drawing beer betwixt the speaking. I was drawing beer, I could not speak.

2988. Did you hear anything said or not?—Sometimes I did hear, and sometimes I did not.

2989. You were going up and down drawing the beer?—Up and down stairs.

2990. Was it after this you heard about the

the glass of ale?—It was before they talked about beer.

2991. The picture?—Yes, that was the first.

2992. After the talk about the picture, did Mr. Biddle came down into the cellar?—Mr. Biddle did.

2993. When Mr. Biddle came down into the cellar, what took place?—He was leaning against the place and got a talking. He said he would give 5 *l.* for a glass of ale, or he would give 5 *l.* if he would let him draw one on condition that he would vote for Mr. Schreiber.

2994. What did Mr. Biddle say to that?—Mr. Biddle says, no, he should not sell his vote to no one.

2995. Do you recollect his saying anything else?—Yes, I do.

2996. What did he say?—He waited for some beer.

2997. Who did?—Powell did; it was half a gallon; whilst I was drawing I was looking after my business.

2998. When was that half-gallon had?—Between 11 and 12 o'clock.

2999. That same morning?—Yes.

3000. When?—He said to Mr. Biddle, "I cannot do no good with you; I will go and speak to your missis, perhaps I might get her to persuade you to vote for Mr. Schreiber." As he was going away, I says, "If you please, sir, you owe us for some beer; it was half-a-gallon of ale." He says, "Bring me another half-gallon, and I will give you a two-shilling piece." *G. Compton.* 1 May 1866.

3001. Did you draw the other half-gallon?—I did.

3002. Did he give you the two-shilling piece?—Yes.

3003. Who drank the beer?—The company.

3004. The company who were there?—Yes.

3005. Did any of the Yellows come in whilst he was there?—Yes.

3006. What induced him to come while the Yellows were there?—Who?

3007. Mr. Powell?—I don't know.

3008. Did you remain down in the cellar?—I did; I was backwards and forwards all the time.

Mr. *Price* stated that he had nothing to ask in cross-examination.

[The Witness withdrew.

Mr. Frederick Digby was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

3009. Are you a Surgeon living in the borough of Cheltenham?—I am. Mr. *F. Digby.*

3010. And an elector of that borough?—I am.

3011. I believe you voted for Colonel Berkeley at the last election?—I did.

3012. Do you know Mr. Stroud and Mr. Barnfield?—I do.

3013. Did they call upon you some time previous to the election?—They called upon me on the Saturday before the election.

3014. I believe you saw them coming, and you went out your back way?—I did; I knew what they wanted.

3015. Did you afterwards receive a message, in consequence of which you went to Mr. Barnfield's shop?—I did.

3016. Did you see Mr. Barnfield?—I did.

3017. What did Mr. Barnfield say to you?—He said he wished me to vote for Mr. Schreiber.

3018. Tell us what passed between you?—He said that he had done me a great many favours, and, therefore, he should expect me to do him a favour. I asked him what the favour was; he said, "To vote for Mr. Schreiber."

3019 At this time were you indebted to Mr. Barnfield?—Yes.

3020. Had he a bill of sale upon your effects?—He had.

3021. Well, go on?—In answer to his wish, I replied that I had promised to vote for Colonel Berkeley, and, therefore, I could not do so; could not vote for Mr. Schreiber.

3022. What did he say then?—He says, "Well then you cannot expect me to do you any more favours, and you must pay me that money that you owe me."

3023. What did you say?—I said, "Well, perhaps I had better go out of town."

3024. What did he say to that?—He said, "Where could you go to"? I replied that I could go to Essex, because I had a vote there. He said that would do very well.

3025. What more did he say?—I left him then.

3026. Was anything said about what would happen if you did not go?—No, nothing more was said then.

3027. When did you see him again?—I met him in Albion-street on the evening of the nomination day.

3028. Tell us what took place then?—He said he wanted to speak to me for a minute, and I walked with him to his shop.

3029. What did he say then?—He said, "Why the deuce have you not gone out of town"? I told him that I had not got money enough.

3030. What did he say?—Well, he said, "You can easily run over to Malvern or Worcester." Then he asked me if I intended to go out of town at all; I said I had hardly made up my mind now.

3031. What did he say?—He then said, "I shall put the bill of sale in force, unless you carry your promise out."

3032. Well?—I left him then.

3033. You voted I believe for Colonel Berkeley?—I did.

3034. When did you see him next; how soon after the election?—The next morning.

3035. Where did you see him?—At his own shop, in company with Mr. Cheshire.

3036. In company with Mr. Cheshire?—I did.

3037. What did he say then?—He said that I had not acted up to my promise to him, and, therefore, he should put the bill of sale in force if the whole of the money was not paid at once.

3038. Well?—I denied owing him so much as he wanted.

3039. How much did he claim?—£. 105; 135 *l.* I left him, and in the course of the next day 105 *l.* was paid him under protest.

3040. That was on account of the bill of sale?—It was. I subsequently brought an action against him, and recovered 44 *l.* 19 *s.* 6 *d.* from him.

3041. We need not go into that; I suppose there was a dispute as to the amount between you?—Yes.

3042. You brought an action against him to recover that back again?—I did.

Mr. *F. Digby.*

1 May 1866.

3043. Something like 45 *l.*?—Yes.

3044. Why did you pay that 105 *l.*?—Because he had threatened to sell me up.

Cross-examined by Mr. *Price.*

3045. Now this bill of sale has been the subject of litigation, has it not?—It has.

3046. I suppose I may conclude, from what I see here, that the cause was referred to one of the Masters of the Court of Exchequer?—It was.

3047. Mr. Pollock?—Yes.

3048. In London I suppose?—Yes.

3049. Now, then, just let me understand, in what form was it; was it an action which you brought to recover back part of this 135 *l.*?—Just so.

3050. Was Mr. Cheshire employed by you in the matter as your attorney?—He was; no, only the day I went with him to Mr. Barnfield's.

3051. Did he go as your legal adviser?—He did.

3052. That was before the action?—Before the action.

3053. And before the election?—He acted for me before the election.

3054. Did he go with you to Mr. Barnfield as your legal adviser before the election?—No.

3055. Before you voted?—No.

3056. Are you sure?—Yes.

3057. When was it?—The morning after the election.

3058. Mr. Barnfield had lent you the money originally, and I suppose took the bill of sale as security?—Yes.

3059. How much had the loan been originally; I do not want impertinently to inquire?—I don't quite understand your question.

3060. How much had your loan been?—£.150; I had it in various sums.

3061. How much did it amount to in all?—How much money did I owe him?

3062. How much did you owe him when the bill of sale was given?—There were two bills of sale; the one, I think they call it an absolute bill of sale, for 100 *l.*, and a registered bill of sale for 35 *l.*

3063. Thas is 135 *l.*?—Yes.

3064. That was to cover a loan of a larger amount probably, or the same amount?—Yes, about the same amount.

3065. You went down to Mr. Barnfield, or did Mr. Barnfield go up to you at Mr. Cheshire's office?—You mean the day after the election?

3066. Yes?—I went to Mr. Cheshire; to Mr. Barnfield's shop.

3067. Did Mr. Barnfield then say that his claim was 135 *l.*, and if the money were paid at once he would consent to take 105 *l.* in settlement of the claim, and get rid of the whole affair?—No, he did not; he said he wanted 135 *l.* and would have nothing less.

3068. Did Mr. Cheshire say he considered that to be a very liberal offer, and should advise you to accept it?—No, nothing was said about Mr. Barnfield taking 135 *l.*

3069. Was any offer made by Mr. Barnfield to take a less sum than the whole that was owing?—No.

3070. Nothing of the kind?—Nothing.

3071. Mr. Cheshire never said it was a liberal offer, and advised you to accept it?—No, he did not.

3072. Never?—Not in my presence. I called on Mr. Barnfield afterwards.

3073. Did Mr. Cheshire tell you that Mr. Barnfield had made that offer to take 105 *l.*, and that he advised you to take it, and thought it was a liberal one; not in Mr. Barnfield's presence, but did Mr. Cheshire tell you so while you were consulting him?—He told me that Mr. Barnfield had offered to take 135 *l.*

3074. To get rid of the whole affair?—To settle the matter.

3705. Did not Mr. Cheshire say he thought it was a very liberal offer, and had advised you to accept it?—No, he did not say that.

3076. What did he say; did he say anything to that effect?—He said it would work out right, as Mr. Barnfield put the figures down.

3077. Did he advise you to accept it, and give you 50 *l.* towards making that settlement; did he lend you 50 *l.*?—He lent me nothing.

3078. Eh?—He never lent me the money.

3079 .Did he ever lend you money?—No.

3080. Did he send you a cheque for 50 *l.*?—No, he did not.

3081. Did he tell you he had paid Mr. Barnfield a cheque for 50 *l.*?—He said he would pay the money under protest, as I wished, when I agreed to send it to him.

3082. Did Mr. Cheshire, in fact, advance 50 *l.* for you?—No, he did not.

3083. Did he not tell you that he had sent Mr. Barnfield a cheque for 50 *l.*?—He said that he would pay any money that I gave him, and hand it over.

3084. Did you give him any money to give?—I sent him some.

3385. How much?—I sent him 50 *l.* that I had by me at the time.

3086. Did you send him the other 50 *l.*?—My father sent him down a cheque for 65 *l.*

3087. Now, you were cross-examined by a learned brother of mine, Mr. Griffiths, before the Master?—I was.

3088. He is a Cheltenham barrister, I dare say you know him?—I have heard of him.

3089. In the course of your cross-examination did you say that you supposed, when Mr. Barnfield said you had broken your promise, and he should enforce his bill of sale, that he referred to your not sending him his usual quarterly receipt from the Union?—I did not.

3090. Will you swear that; we have got a shorthand writer's note?—I did not say so.

3091. I must put it to you again; I am reading from a shorthand writer's report; I only wish to caution you. Did you not say that you supposed, when Mr. Barnfield said, "You have broken your promise, I shall enforce the bill of sale," that he referred to your sending him his usual quarterly receipt from the Union?—I did not say so.

3092. Nothing of the sort?—No, nothing of the kind; nothing to that effect.

3093. Nothing to that effect?—No.

3094. What did you say?—

3095. *Chairman.*] Did you say anything about the Union when you were examined about it?—

3096. Mr. *Price.*] You were cross-examined about it, what did you say?—Mr. Griffiths asked me whether that was the case, and I denied it.

3097. If what was the case?—Whether I thought that Mr. Barnfield referred to my not sending the Union cheque, when he spoke of my having broken my promise. Mr. Griffiths asked me whether, when Mr. Barnfield said I had broken my promise, I thought he meant the Union cheque, and I replied, "No."

3098. You

3098. You swear you said so?—I swear I denied it.

3099. Did you say you did not believe it had reference to your voting at the election?—I said nothing of the kind.

3100. You say you did not believe it had reference to your voting at the election?—I did not say so.

3101. By the *Committee.*] Were you asked about it; were you examined about it?—I was, and I denied it.

3102. Mr. *Price.*] Were you asked by Mr. Griffiths whether it had reference to the voting at the election?—I was asked that or some similar question; I was asked some question of that sort, whether I thought, in breaking my promise, it was about the Union cheque, and had no reference to the election; I denied having thought so, or admitted so.

3103. What did you say about the election?—I do not know what passed about the election; he said I had broken my promise; and Mr. Cheshire remarked: "You have been trying to intimidate this man."

3104. We are speaking about the cross-examination by Mr. Griffiths?—I was asked, in the cross-examination, whether, when Mr. Barnfield stated that I had broken my promise, I thought that he referred to the Union cheque, and I denied it.

3105. Then did he ask you whether it referred to the election?—I am not certain whether I was cross-examined about the election or not; I am not quite certain; at any rate I never admitted it.

3106. But you cannot recollect whether you were examined about the election or not?—I cannot, quite. I am certain I never could have admitted that I thought it was the Union cheque, because I never did.

3107. No, about the election, whether the breaking your promise had any reference to the election; did you say to Mr. Griffiths that it had not any reference to the election?—I do not quite understand the question.

3108. Did you say that the breaking of your promise had any reference to the election, or that it had no reference to the election?—I don't think I was asked the question.

3109. One way or the other?—I believe I was not asked any question of the kind.

3110. And you gave no answer, therefore, about the election?—Not that I am aware of; if I did I certainly never said that I thought it had any reference to the election.

3111. I am really unwilling to trap you into anything, and therefore I will inform you that I have got here a shorthand writer's note of what you said; did you say anything in your examination in chief about this promise having been broken, your promise with reference to the election at all; now, tell me?—Will you repeat it?

3112. You were examined in chief by your own counsel, Mr. Shaw, I see?—Yes.

3113. Had you said anything in your examination in chief with regard to Mr. Barnfield's reproach to you as to breaking your promise?—I said that Mr. Barnfield taxed me with breaking my promise.

3114. Did you say what that promise alluded to?—I did not say what promise it was.

3115. By the *Committee.*] Now tell me what the promise was that you were supposed to have broken?—I had promised him to go out of town.

3116. Mr. *Price.*] Then it was merely with regard to your going out of town?—Yes.

3117. When Mr. Griffiths asked you whether you believed that it had reference to your voting at the election, what was the answer you gave; did Mr. Griffiths ask you that question?—Which question?

3118. Did Mr. Griffiths ask you what the promise had reference to?—I don't think he did.

3119. Will you swear he did not; when was this?—This was in January last. I believe not; I was asked a multitude of questions by both sides, but I believe that Mr. Griffiths did not ask me that.

3120. Now, come, try and recollect yourself?—I believe not.

3121. I assure you that it is very painful to me, towards a gentleman in your position, to press this, but I must do it. I ask you to recollect yourself. Did not Mr. Griffiths distinctly ask you the question, what that promise had reference to?—I believe not.

3122. Will you swear you believe he did not?—I will not swear it.

3123. Then, of course, you cannot tell me what answer you made; because, if you do not remember the question, you cannot say what answer you made?—I can swear that I never said it had any reference to the election, or that I thought it had any reference to the election.

3124. Then you did hear such a question put?—I will not swear I was asked the question, or whether I was or not.

3125. How can you say it had no reference to the election?—I swear I did not admit it.

3126. Did it not lead to a compromise in consequence of that being stated; did not the parties come out for that purpose, and then come back and settle the matter; and did not the Master, Mr. Pollock, concur in the observations made by Mr. Griffiths and the other counsel, and compliment the defendant for having behaved so well; now, do remember, because it is a very important matter?—I believe what you state now is utterly false.

3127. Then nothing of that kind took place?—I believe not.

3128. I will not have your belief; will you swear nothing of the kind took place?—I swear not to my knowledge; they went out into another room, and what I heard afterwards was only through other parties.

3129. Did not Mr. Griffiths say that all imputations about the election being now withdrawn, he was willing to come to a settlement upon terms which the Master said were very handsome on the part of the defendant?—I never heard him, and I was there all the time.

3130. Will you swear he did not?—I will not swear that; I am a little hard of hearing; I might possibly not have overheard it, but I was quite close all the time.

3131. Was it settled immediately after your cross-examination?—I believe it was.

3132. Mr. *Powell.*] Whatever Mr. Griffiths may have said about imputations being withdrawn with reference to the election, did you ever authorise any such statement being made?—Certainly not.

3133. Mr. *Price.*] There is one question which I omitted; was it not your counsel who suggested a settlement when your cross-examination was finished?—Not that I am aware of.

Mr. *F. Digby.*

1 May 1866.

Re-examined by Mr. *Powell.*

3134. You know nothing of that?—No, certainly not.

3135. Whatever may have been said at any place whatever, tell me this, was a promise spoken of, a promise about your going out of town; the promise that Mr. Barnfield said you had broken?—I did not quite follow you then.

3136. You have said that Mr. Barnfield said you had broken your promise, and, therefore, he should put the bill of sale in force; what promise was that; what promise did he allude to?—The only promise I had made him at all, was that I would go out of town.

[The Witness withdrew.

HENRY JAMES MOON was called in; and, having been sworn, was Examined by Mr. *Powell,* as follows:

H. J. Moon.

3137. Do you live in Cheltenham, and are you a voter there?—Yes.

3138. I believe you carry on the very useful occupation of a Sweep in that town?—Yes.

3139. You are an elector of the borough; had you, previously to the last election, been asked by any one to vote for Colonel Berkeley?—I had not.

3140. You had not?—No.

3141. Do you know Mr. Rossiter?—Yes.

3142. Were you at the Worcester races?—I was.

3143. Did you see Mr. Rossiter there?—I did; you may ask me as much as you like, I never promised.

3144. You saw Mr. Rossiter there?—I did.

3145. Remembering that you saw Mr. Rossiter there, I ask you, did you promise anybody to vote for Colonel Berkeley?—I did not.

3146. Was there any conversation about Colonel Berkeley?—Yes, I believe there was, when I come to recollect.

3147. Now, you say you recollect, just tell me whether at the Worcester races you promised Mr. Rossiter or anyone else?—No, I did not; and that is a candid answer.

3148. After the Worcester races, and before the election, did you see John Laurence?—Before the election?

3149. Yes?—Yes; I had not had much to do, I asked him if he could find me any employment.

3150. Asked who?—I asked John Laurence.

3151. Well, go on?—He asked me what I could do; I says, "Anything"; I says, "I have not got much trade to do just now, if there is anything to be done, I could do it."

3152. Well, go on?—That was on Monday; then, the following Monday I wanted to receive for the last week.

3153. What did you want to receive for the last week?—Well, you know, what was the others employed for?

3154. That is exactly what I want to know?—Why, to look about, I suppose.

3155. You have not told us, my friend, yet, that you were employed to look about; were you employed to look about?—Yes, the same as the others.

3156. Who employed you?—John Laurence.

3157. Attend to me and follow my questions; you say you saw John Laurence previous to the election?—Yes.

3158. Did Laurence ask you to vote for anybody?—No, I don't believe he did.

3159. Ah! but stop a bit?—Well, if I was to say candid, neither party asked me to vote for them.

3160. You saw John Laurence previously to the election?—Yes.

3161. Did John Laurence say anything to you about your vote?—No, sir, not that I am aware of.

3162. Will you swear it?—Of course, what I am speaking, I am on my oath.

3163. Did John Laurence ——?—Not to my knowledge.

3164. Let me finish the question; did John Laurence, before he employed you like he did the others, say anything to you about your vote?—No; I said I should vote for Mr. Schreiber.

3165. When did you say that?—To John Laurence.

3166. When?—On Monday.

3167. Before the election?—The Monday week previous to the election; of course I wanted a job.

3168. How came you to say, then, to him that you should vote for Mr. Schreiber?—Well, I cannot say.

3169. Eh?—I don't think anyone asked me, in fact, I can swear no one asked me.

3170. Will you swear it?—Yes.

3171. Eh?—Yes.

3172. Will you swear no one asked you which way you were going to vote?—Mr. Rossiter said, "I suppose you are not going to vote against me," at Worcester; that would not be asking me which way I was going to vote.

3173. Never mind Mr. Rossiter, I am asking you about what passed between you and Laurence?—Not a dozen words.

3174. If there were not a dozen words, you can the more easily remember them?—He asked me what can I do? I said, "The same as the rest."

3175. Was that after you had said you were going to vote for Mr. Schreiber?—No, not after.

3176. What; come now, come; when was it that Mr. Schreiber's name was mentioned between you and Laurence?—It was my own self.

3177. When?—This Monday morning.

3178. Some Monday morning that you were engaged to go and do as the others?—Yes, the same Monday morning.

3179. And in the same conversation?—Yes.

3180. Where have you been all day?—At the "Ship" some part of the time.

3181. Mr. *Powell.*] Were you examined by anybody, and your evidence taken down, before you came to London?—Mr. Boodle.

3182. Is that your name signed to that paper (*handing a paper to the Witness*)?—That I shall sign the truth.

3183. Mr. *Powell.*] Now, I am going to ask you a few questions; you said something was the truth, now tell me?—Yes, sir.

3184. Do you know a person named Edward Baylis?—Is that the stout man I see in the committee-room?

3185. Yes; I am told he is a stout man, a clerk of Mr. Gwinnetts?—Yes.

3186. You know him?—Yes.

3187. Now

3187. Now tell me, before the election did he ask you to go to work?—Not Mr. Bayles.

3188. Who did?—I asked Mr. Lawrence to give me a job, if there was one.

3189. What did he say?—He told me so; he said, Very well, I was to go on.

3190. Go on what?—The same as the rest.

3191. What was the rest? — Well, looking about.

3192. Was that all you did; I should think a sweep, accustomed to get to the top of a chimney, was the very man to look out?—I would sooner be up one now than be here, I can tell you.

3193. Now come, tell me, you were to do the same as the rest?—Yes.

3194. Did you ask for any money before you began work?—No, not before I began.

3195. Did you go to the committee-room?—Mind, if you take me right, that was the first Monday I asked John Laurence, and then the Monday week following, that was after I had come from the Worcester races. Worcester races was between that and the Monday. I said to John Laurence, "Where is my week's wages; I want a start." He says, I was to go into the committee-room; I went in the committee-room, and saw Baylis. I told him I wanted some money; the rest had been paid, but I had not been there.

3196. What committee-room was that?—In High-street; stop a minute, and I will tell you the name of the place; it is where Shyler's shop is at the bottom.

3197. The "Royal Hotel," do you mean?—No, beyond "The Royal Hotel."

3198. Victoria-place?—I don't know for certain; I don't know the name of the place. There is Mills, the wine merchant's, at one corner, and at the other corner there is Alexander Shyler's; it is the place that is there.

3199. What is the name of the place?—I cannot tell you.

3200. Is it Liverpool-place?—That is the name of the place, I believe.

3201. By the *Committee.*] How much were you paid for the week?—One sovereign.

3202. Mr. *Powell.*] In this committee-room?—In this committee-room.

3203. Who did you see in the committee-room when you were paid the sovereign? — I saw Baylis; I could not swear who else was there.

3204. Who was there?—Well, I could not swear who was in there.

3205. Try?—I know he was there, because he sat at the corner of the table.

3206. Of course he was there, because he paid you the sovereign?—He gave me the sovereign; there was another clerk, Fred. Gregory.

3207. Who else besides Fred. Gregory?—I cannot say.

3208. Yes, I think you can; try?—I only want to tell the truth.

3209. Try to tell the truth; who else was there?—I am not going to speak against one more than the other.

3210. Who else; come?—I cannot say; that is an answer.

3211. Come, try?—But I cannot; what is the use of trying, if I tell you I don't know.

3212. Were other people there?—Yes; there were two or three clerks, sitting down, writing.

3213. Who were they?—If I tell you I cannot tell, I cannot tell; Mr. Baylis was at that table.

3214. What had you been doing that week for the 1 *l.*?—That, I don't know; walking about, I tell you. *H. J. Moon.* 1 May 1866.

3215. You had been at Worcester races, for one thing?—No doubt, I had.

3216. Looking about you there, I suppose?—I made a bet or two there.

3217. That is what you received your 1 *l.* for, among other things?—What, for the bet?

3218. Was the 1 *l.* paid you for a week's service?—I had been over there, horse-racing, the Monday following the Worcester races.

3219. And you received the 1 *l.*?—I did.

3220. Was that paid in advance, or for the previous week?—For the previous week.

3221. By the *Committee.*] Now, will you tell us what you were employed to do?—Like a messenger, I suppose.

3222. What were you employed for?—There were others employed as well as me.

3223. What were you employed for?—To look about, to see after the voters.

3224. You were employed to watch voters?—Yes.

3225. To watch what?—To watch the voters. I was to do the same as the rest.

3226. What were they all doing?—(*No answer.*)

3227. Mr. *Powell.*] Now look here, you cannot tell us what you did do?—Yes, I can; I tell you I looked about.

3228. Did you do anything more than walk about?—No.

3229. Nothing more than walk about, and go over to the Worcester races?—I went to the Worcester races.

3230. Now, you had the 1 *l.*?—Yes.

3231. Can you tell me what day that was?—On the Monday.

3232. On the Monday previous to the election?—Yes.

3233. How much did you have after that?—I thought about getting 10 *s.* a day for these days; there was the Monday, Tuesday, and Wednesday. I was to make a bill, and when I took the bill, I believe it was objected to, and it was a long time before I got it.

3234. Who did you take the bill to?—If you will allow me to tell you, I will. I saw John Laurence, and asked him if I was to have the rest of the money. He told me yes, I was to send the bill in. After that, I went to Mr. Gwinnett. Mr. Gwinnett stated there was no signature to it, that he could not pay me unless I had a signature from Mr. Stroud or Mr. Laurence. I went to Mr. Stroud's office, and Mr. Stroud said it was too much, or something. I said, I don't know, I am sure; I think some one has got to do the work, and them as don't do much gets the most money. He said he would go with me to Laurence. Laurence said, Yes, I was employed. Then Mr. Stroud would not give it to me, but scraped off the amount I charged, and put down 5 *s.* a day for so many days, eight or nine days.

3235. Mr. Stroud did?—He gave me 2 *s.* 6 *d.* out of his own pocket.

3236. How many days?—That would be from Monday week. I believe the election was on the Wednesday.

3237. How much money did you get?—I could not get it all.

3238. You were to get a name; did Mr. Stroud put his name?—He did.

H. J. Moon.
1 May 1866.

3239. What did you do with the bill?—I took it to Mr. Gwinnett, and Mr. Gwinnett paid me.

3240. How much a day?—I had a sovereign deducted.

3241. What did Mr. Gwinnett pay you?

3242. Mr. *Price.*] Did you give a receipt?—Yes.

3243. Mr. *Powell.*] What did Mr. Gwinnett pay you?—I could not remember.

3244. Try and recollect?—If anyone has asked me, and I have told him, I could not swear to it.

3245. Tell me what?—It would not exceed 2 *l.*

3246. Did he pay you 2 *l.*?—It was under 2 *l.*

3247. Something under 2 *l.*?—Yes.

3248. Besides the 1 *l.* that Mr. Baylis had given you?—It was little more than 1 *l.*, because he gave me more than that.

3249. And the 2 *s.* 6 *d.* that Mr. Stroud had given you?—Yes, it only amounted to 5 *s.* a day; it was 2 *s.* 6 *d.*, so it can be easily reckoned; about 27 *s.* 6 *d.*

3250. I ask you what was that given you for?—I worked hard those two or three days, Monday, Tuesday, and Wednesday.

3251. What did you do?—I was looking about.

3252. Looking about?—Yes.

3253. Was that all you did?—Yes, I did not do no writing, or nothing of that.

3254. All you did was looking about?—Yes.

3255. Did you do anything more than look about?—No; on the day of the election I was on a cab.

3256. What were you doing on a cab?—To fetch the voters.

3257. That was on the day of the election?—Yes.

3258. How long were you on the cab the day of the election?—Five or six hours.

3259. Who were in the cab?—I don't know.

3260. Who were in the cab that you were outside upon for five or six hours?—I will tell you one.

3261. I want them all?—Let me see who was there: young Mr. Engell, then; I went with him to Sherman-street. I went from here round Fairview-street to the committee-room.

3262. I want to know who was in the cab?—I have told you, young Mr. Engell. I sat on the box of the cab.

3263. Who got in, and who got out?—Young Mr. Engell got in, and got out.

3264. You have told me that half a dozen times, who else?—There was Mr. Sweeting. Young Mr. Engell came back to the polling place without anyone.

3265. Who else?—And old Mr. Engell. I went round back to the committee-room.

3266. Were you outside more than one cab that day?—Yes.

3267. Now, you have told us one cab; who was in the other?—One cab went on to the Gloucester-road to meet two gentlemen.

3268. Who were they?—Mr. Powell, one of them was.

3269. Who was the other?—It was a gentleman who, I believe, was put on his oath at the polling booth; what his name was I could not say.

3270. Who was it went with Powell and you to the Gloucester-road?—I did not go with Powell; I went in this cab to the station. I say nothing about the third.

3271. Who went with you and Powell to the Gloucester-road?—Only the cabman.

3272. I thought you said there was this gentleman?—I did not say going to meet the two gentlemen in the Gloucester-road these two gentlemen came up there to the "Imperial."

3273. Who were they?—I cannot swear to their names. I did not think about being asked such things.

3274. Do you mean to say you do not know the names of those gentlemen?—Upon my oath I do not.

3275. Try and recollect?—I came there to the committee-room.

3276. Which committee-room?—The corner of Carlton-street.

3277. Who did you take there?—These two gentlemen. Then they went up there to the polling booth; one of them was asked on his oath, he was put on his oath about a rate.

3278. Mr. *Powell.*] Do you know Byrne?—Yes.

3279. Did you see Byrne that day?—No.

3280. Not at all?—I did not.

3281. Where was it you saw Powell?—I don't mean the Powell you have got on the election; it is a club member of mine.

3282. Are there two Powells in the world?—If it is the Powell who is on this election I never knew it till this very moment, but I recollect going to meet Mr. Powell, because he belongs to the same society as I do, and that is the United Friendly Society; that is how I know him. When I got to the turning he had his children with him, they came to the station; he belongs to No. 9, Gloucester-place. There Mr. Byrne never spoke.

3283. Mr. *Price.*] That is not the other Powell?—I don't know the other Powell.

3284. Mr. *Powell.*] Do you know the Powell, the commercial traveller?—No, I don't.

3285. Never saw him in your life?—Look here, I don't know whether this Powell is a commercial traveller. I can tell you who this Powell, that I mean, is related to.

3286. By the *Committee.*] What is the occupation of the Powell you know?—No. 9, Gloucester-place is where he lives.

3287. What is his business?—That I could not say.

3288. Mr. *Powell.*] You say you can tell us who he is related to; who was he related to?—He was steward for the club I am in. Will you allow me to tell you the reason I do know him.

3289. Cannot you tell me who he was related to?—I am going to, if you will allow me, but you will not allow me. I would not swear it is 9, Gloucester-place he lives at; he was steward of this club, and his mother-in-law or his father-in-law was dead, and I had to go to pay him the money, and there I had seen Powell following his relative in the funeral.

3290. Do you know Mr. Burnfield?—No.

3291. You do not know Burnfield?—Not that I am aware of.

3292. Not at all?—Not at all.

3293. Do you know Tailor Lea?—Yes, I have known him these years.

3294. Did you see him this day?—That I could not say.

3295. I should like you to try?—If I was to tell you I could, I have no interest in saying either way. If I were to tell you I should speak false.

3296. You know Tailor Lea?—I do.

3297. Did

3297. Did you see him on the day of the election?—I did not.

Mr. *Powell* stated that he proposed to ask the witness whether, when he was paid the 1 *l.*, he should not do anything unless he was paid 3 *l.* more.

The *Witness.*] I object to that; I may have said I should vote for Mr. Schreiber, but I shall expect to go to work. That I told you before.

3298. Mr. *Powell.*] My question is, whether you did not say, that unless they paid you 3 *l.* more than the 1 *l.* they gave you, you should go to work for the Berkeley party?—No.

3299. Nothing of the sort?—Nothing of the sort.

3300. Nothing of the sort?—No; I might have told them that I might have to go to work for the other party if I was not employed, but I did not say any money.

3301. Was it after that that you were employed?—This was the Monday that I asked for employment; it was not to none of them that I might have said that.

3302. But it was the Monday on which you were employed that you said that?—Yes.

3303. It was after that you were paid this money by Mr. Gwinnett and by Baylis?—That was the week after.

Cross-examined by Mr. *Cooke.*

3304. You say you saw John Lawrance on a Monday?—Yes.

3305. Was it John Lawrance, or who was it, who spoke to you about employment?—It was John Lawrance.

3306. Then I understand you went the Monday after to Mr. Baylis and demanded 1 *l.* for having been a week at work?—Yes; in advance; I wanted some money. I had a sovereign.

3307. Were there a quantity of roughs employed by the Yellow party?—I am not aware of that. I did not see no roughs; no roughs never interfered with me.

3308. Then, if I understand you, Mr. Gwinnett would not pay you without somebody's signature; and Mr. Stroud took you to Mr. Lawrance to know if you had been employed?—Yes. *H. J. Moon.* 1 May 1866.

3309. What about the half-crown; do you mean that Mr. Stroud gave it you out of his pocket?—Yes.

3310. Had that anything to do with your voting?—I told him it was not enough money; I ought to have had more. He said he would give me more, but he would give me this half-crown out of his own pocket.

3311. By the *Committee.*] Who did you vote for?—Mr. Schreiber.

Mr. *Powell.*] We have given you notice to produce the bill that he speaks of.

Mr. *Cooke.*] The returning officer has it.

Mr. *Powell.*] Then Mr. Gwinnett will look among his papers for it.

Mr. *Price* requested the Committee to ask the witness whether he was not a Conservative before.

3312. By the *Committee.*] Did you vote in 1859?—No, this is the first time I voted.

3313. This is the first time you took a political interest in the borough?—Yes; I always had an interest in the Conservative party.

3314. What did you mean by saying that if you were not employed you might find work from the other side?—Because I wanted to get a job.

3315. Did you mean to vote for the other side?—That I should not do.

3316. Mr. *Powell.*] There is one question which I may be allowed to ask in order to save the necessity of calling a witness.—(*To the Witness*)—Do you know a man named Thomas Cook?—I do.

3317. Did you pay him, 1 *l.* when you came out of the committee-room?—I did, when I came out of the committee-room.

3318. By the *Committee.*] Where did you get the 1 *l.* from?—From Mr. Baylis. I borrowed 1 *l.* the previous week of Cook.

3319. The 1 *l.* you received you paid away to him for the 1 *l.* you owed him?—Yes.

[The Witness withdrew.

William John Allen was called in; and, having been sworn, was Examined by Mr. *Fallon*, as follows:

3320. Is your name William John Allen?—It is. *W. J. Allen.*

3321. What are you, Allen?—A pianoforte tuner.

3322. Where do you live?—In Cheltenham.

3323. Whereabouts?—No. 2, Hungerford Cottages.

3324. Did you vote at the last election?—I did.

3325. For whom did you vote?—For Mr. Schreiber.

3326. Did you come from anywhere to vote?—South Wales.

3327. Whereabouts in South Wales?—Cardiff.

3328. Had you any railway pass?—None.

3329. After the election did you go to any one's office?—I did.

3330. To what office did you go?—Mr. Stroud's.

3331. Did he pay you anything?—He did.

3332. What did he pay you?—Somewhere about 1 *l.*

3333. What was that for?—Railway expenses.

3334. Mr. *Price.*] Did you make out a bill?—No.

3335. Mr. *Fallon.*] Were you to be paid for anything else besides your railway expenses?—It was to pay my travelling expenses.

3336. Was there anything said for what that 1 *l.* was paid for?—For my travelling expenses.

3337. Was there anything else besides railway expenses?—No, certainly not; my railway expenses; I thought I was entitled to it, and therefore I went to ask for it.

3338. You asked for that particular sum; can you tell us what your railway expenses were; what was the fare?—The fare, as near as I can recollect, there and back, is about 1 *l.* 2 *s.* 6 *d.*

3339. What is the fare there and back?—£. 1 2 *s.* 6 *d.* there and back.

3340. What did you pay?—I paid that, of course.

3341. What class did you travel by?—Am I obliged to answer that question.

W. J. Allen.
1 May 1866.

3342. Yes?—Because I consider I am entitled to travel first-class; and if I travel anything else I do as I think proper.

3343. Tell us what class you travelled?—I travelled third.

3344. How much did that cost you?—It cost me 5*s.* 3½*d.* each way.

3345. There was something over your railway fare?—That of course I felt entitled to do, if I thought proper to do so; I am not obliged to travel first-class because I was paid to do so.

3346. You demanded that, and Mr. Stroud paid you?—Exactly.

3347. There was nothing said about anything else?—No.

Cross-examined by Mr. *Price.*

3348. You demanded first-class fare?—Yes.

3349. That was paid you?—It was.

3350. You are a Conservative?—I am.

3351. And have been all your life?—I have, and ever shall remain so.

Re-examined by Mr. *Powell.*

3352. You demanded first-class fare; what did you say to Mr. Stroud about that?—I did not make any demand, I said I wanted my railway fare.

3353. You did not make any demand?—I made a demand for first-class railway fare.

3354. What did you say to Mr. Stroud?—Is it necessary that I should repeat it over again.

3355. You must, if you please, repeat it as often as I think fit, and as often as the Committee allow it; what did you say to Mr. Stroud?—Simply what I said before, that I asked for my first-class fare, which was paid me.

3356. Do you mean to say you asked for first-class fare?—I did.

[The Witness withdrew.

William Simons, was called in; and, having been sworn, was Examined by Mr. *Powell,* as follows:

W. Simons.

3357. Is your name William Simons?—Yes.

3358. What are you?—A plumber.

3359. Are you a voter of the town of Cheltenham?—I am.

3360. Do you know a man of the name of Thomas Jones?—I do.

3361. Who is he?—Who is Thomas Jones?

3362. Yes?—He is foreman to Mr. Marshall.

Mr. *Powell* stated that Mr. Gwinnett had informed him that there was no such bill as that referred to by the last witness.

Mr. *Gwinnett.*] There is no such bill there.

Enoch Brinsdon, was called in; and, having been sworn, was Examined by Mr. *Powell,* as follows:

E. Brinsdon.

3363. Are you the landlord of the "Fountain Inn," at Cheltenham?—I am.

3364. Are you a voter of that borough?—I am.

3365. I believe you voted at the last election for Colonel Berkeley?—I did.

3366. Do you know Mr. Schreiber?—I do, perfectly.

3367. Did he come to your house a few days before the election?—He did.

3368. Who came with him?—Mr. Powell.

3369. Is that Mr. Powell the commercial traveller?—Yes; and other gentlemen as well.

3370. Can you tell me who the other gentlemen were?—Mr. Mallory, Mr. Davis, and others; I cannot say, for I am a stranger to Cheltenham.

3371. You say they came with Mr. Schreiber?—They came four times, at different times.

3372. Was Mr. Schreiber with them each time?—Mr. Schreiber was with them twice.

3373. When Mr. Schreiber was there did Mr. Powell say anything to you?—Mr. Powell asked me if I was a stranger to Cheltenham; I told him I was; he asked me if ever I voted in Cheltenham; I said I did not, never before. I had not made up my mind who I should vote for.

3374. You told him so?—I did.

3375. What did Mr. Schreiber say?—Mr. Schreiber asked me if I voted before; I said I did, for Kendal, in Westmoreland, for Mr. Glyn; he says, "My friend Mr. Glyn;" I said, "I do not know whether he is your friend or not; at any rate, I cannot vote for you."

3376. What did Mr. Schreiber say to that?—He said, "You will change your mind," and he would call on me again.

3377. Did Powell say anything at that interview?—He made some remarks, or something about Colonel Berkeley; I said something about Mr. Schreiber, that he would not get returned for Cheltenham; Powell says, "I should recommend Mr. Schreiber to tell Colonel Berkeley to teach his supporters to speak grammar before they talked to gentlemen."

3378. Was anything else said on that occasion?—That was all; I ordered them to go out of my house.

3379. Now, you say Mr. Schreiber came again?—That was the last time.

3380. I want to know what took place the first time?—He merely asked me who I was going to vote for.

3381. Who asked you?—Mr. Schreiber himself.

3382. Did Powell say anything the first time?—Powell did not speak.

3383. Was Powell with Mr. Schreiber on the second occasion?—On the second occasion.

3384. Now, you say that some persons came four times, and Mr. Schreiber twice; who were the persons who came the second time, and the third time?—I cannot say their names.

3385. Was Powell amongst them?—Mr. Powell was only twice in my house.

3386. That was when Mr. Schreiber came?—With Mr. Schreiber; I have seen him in the neighbourhood of the Bath-road at the same time with Mr. Schreiber, coming to my house.

3387. Who?—Powell.

3388. What were they doing?—Going from house to house; what they were saying or doing I cannot tell.

Cross-

Cross-examined by Mr. *Price*.

3389. How long have you been in Cheltenham, Mr. Brinsdon?—I have been in Cheltenham six years come next January, five years last January.

3390. Do you know a Mr. Mallory?—I do.

3391. Was he not one of the party?—He was.

3392. Was Mr. Davis another?—He was.

3393. Young Davis or old Davis?—Him as wore spectacles, young Davis; they told me his name was Davis, but he was a stranger to me.

3394. Which of the Mallorys was it?—Both old and young. *E. Brinsdon.* 1 May 1866.

3395. The two Mallorys, Powell, and Mr. Schreiber?—And there was a young man of the name of Gardiner.

3396. Were they all there when Powell and Mr. Schreiber spoke about this bad grammar?—I believe they were.

3397. And you ordered them out?—I did.

[The Witness withdrew.

CHARLES SUTTON was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

3398. WHAT is your name?—Charles Sutton. *C. Sutton.*

3399. What are you?—A paper hanger.

3400. Do you live at 13, Bloomsbury-place, Cheltenham?—Yes.

3401. Did you see Mr. Schreiber at the time of the election?—I did.

3402. About a week before the election did you see him with any body?—I did.

3403. Who was that?—Mr. Knowles.

3404. Who else was there?—James Burge.

3405. Where was it that you saw them?—In a skittle alley.

3406. At what place?—At the "Herefordshire Brewery."

3407. Is that Knowles' house?—Yes.

3408. He keeps a public house called the "Herefordshire Arms," or something like that?—The "Herefordshire Brewery."

3409. You say you saw Mr. Schreiber and Knowles?—In the skittle alley.

3410. Was Burge there also?—Yes.

3411. Was there anybody else there?—No one but myself.

3412. Where were you?—In the closet.

3413. Had you been there before you went into the skittle alley?—Yes.

3414. Where had you seen them before?—In the house.

3415. Did you see them come into the house?—No, I did not.

3416. Who was there in the house with them?—There were several there.

3417. But besides the names you have given?—I did not know them.

3418. Did they go into the skittle alley before you?—No; I went out first.

3419. Did you hear any thing said between them?—I did.

3420. Will you turn to the Committee and tell them distinctly what it was you heard pass?—I heard Mr. Knowles say to Mr. Schreiber that he should not vote at all unless he was paid for it; for he had lost four days on the last election, and had to pay a man for his time, and that he should not do it unless he was paid for it.

3421. Did Mr. Schreiber say anything to that?—I could not say.

3422. What?—I did not hear anything more than that; I heard Mr. Knowles say that he would have a certain sum.

3423. What sum did he say?—£.15.

3424. You heard Knowles say that?—Yes.

3425. Did you hear anything said in answer to what Knowles said?—No, I did not.

3426. Eh?—I did not.

3427. Did you see anything done?—No.

3428. Did you hear anything?—Not more than that.

3429. I do not mean words?—No.

3430. Now come, just attend; I do not want to press you or put it to you at all unreasonably, now come?—I cannot say anything more, I have said the truth, I spoke all I saw and heard.

3431. Did you hear Mr. Schreiber make any answer to Knowles?—I heard no reply.

3432. Did you hear anything done?—No.

3433. Did you hear any sound?—I heard the sound of money, but I saw none passed.

3434. What do you mean by hearing the sound of money?——

3435. By the *Committee.*] What sort of sound did you hear?—It was the sound of money, just the same as a man having his hand in his pocket in this way (*the witness put his hand in his pocket and chinked some money*); I saw none passed.

3436. Have you been examined about this matter, have you made a statement?——

3437. By the *Committee.*] Have you made any statement different to that which you have stated now?—No.

3438. You have not?—No.

3439. Have you made any statement at all to the agent or solicitor for that gentleman (*referring to Mr. Powell*)?—I saw Mr. Cheshire.

3440. Have you made a statement to him?—Yes.

3441. Did you sign it?—No.

3442. Is that statement different to the statement you have made now?—I think it is the same.

3443. Did he write it down in your presence?—He wrote the statement down.

3444. Did he read it over to you?—He read it in my house.

3445. Was it the same as you have now stated?—The same as I state now.

3446. Mr. *Powell.*] Now I ask you to tell me this: when Knowles said what you have told us, that he should not vote unless he was paid for it did not Mr. Schreiber ask him what he wanted?—I could not distinctly say.

3447. Was what you stated to Mr. Cheshire taken down in writing and read over to you afterwards?—Yes.

3448. Did you tell Mr. Cheshire that when Knowles said he should not do it any more unless he was paid for it, that Mr. Schreiber said, "What do you want"?—No.

3449. Was there a person named Baldry there?—Yes, in the house, he was.

3450. Have you seen Baldry lately?—No.

3451. How long is it since you have seen Baldry?—It may be three months, I could not exactly say.

C. Sutton.

1 May 1866.

3452. Where was it you last saw him?—In the High-street, I believe it was.

3453. At Cheltenham?—Yes.

3454. After Mr. Schreiber was gone?——

3455. I do not ask you *what*; did you have *some* conversation with Knowles about his being there?—Yes.

Mr. *Price* stated he had nothing to ask in cross-examination.

[The Witness withdrew.

JOHN KNOWLES was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

J. Knowles.

3456. WHAT are you?—A coachman.

3457. Did you keep a house called the "Herefordshire Arms," or Brewery?—Yes.

3458. Do you remember a little before the election anybody coming to your house?—Yes.

3459. Do you know Mr. Schreiber?—Yes.

3460. Do you know Mr. Stroud?—Yes.

3461. Laurence?—Yes.

3462. Byrne?—Yes.

3463. Did you see those gentlemen previous to the election?—I see Mr. Schreiber a fortnight after I had promised my vote to Mr. Stroud.

3464. When was this?—Before the election, of course.

3465. Did you see these gentlemen together previous to the election?—No.

3466. Did you see them together at any time?—No.

3467. Do you know Mr. Schreiber?—Yes.

3468. Was he at your house previous to the election?—He was at my house a fortnight after I promised my vote to Mr. Stroud.

3469. Was that before the election?—Before the election.

3470. How long before the election?—A fortnight.

3471. What did he come about?—No kind of business.

3472. What did he come about?—Mr. Schreiber called merely to thank me for my promise of my vote, that is all.

3473. When was that?—Just before the election.

3474. I want to know when?—I cannot tell you.

3475. How long before the election?—I cannot tell.

3476. A week, or a month, or what?—Perhaps it might be four days before the election.

3477. When did you promise your vote to Mr. Stroud?—A fortnight before the election.

3478. Was it a fortnight before you saw Mr. Schreiber?—I promised my vote for Mr. Schreiber to Mr. Stroud.

3479. Who was with Mr. Schreiber when he called?—Who was with Mr. Schreiber? I will tell you directly; Mr. Byrne, a gentleman of the name of Byrne.

3480. Who else?—I recollect no one else.

3481. Try?—I cannot.

3482. Was there anybody else?—I recollect nobody else with him.

3483. Was there no one else?—No.

3484. Why do you say you cannot recollect there was no one else?—I cannot recollect no one else.

3485. Is it a question of recollection, or that there was no one else?—No one but Mr. Byrne and Mr. Schreiber.

3486. Do you recollect Sutton, the paper-hanger?—Yes.

3487. Was he at your house one evening?—He was staying in my house.

3488. What evening was that?—The same day as Mr. Schreiber called and Mr. Byrne together.

3489. What did Mr. Schreiber say to you on that occasion?—I can recollect nothing.

3490. Try, I think you could if you will try?—No.

3491. I think you could if you would try?—Nothing; I have stated before, he called to thank me for my vote.

3492. Oh, no; come?—Nothing more that I can recollect.

3493. You know Sutton, the paper-hanger, was there?—Yes.

3494. What did Mr. Schreiber say to you?—Mr. Schreiber called to thank me for my vote; and I think, according to the best of my recollection, my conversation was in the back yard with Mr. Schreiber, that I hoped he would succeed in carrying the top of the poll.

3495. How came you to be in the back yard with Mr. Schreiber?—That was where my work was.

3496. How came you to be with Mr. Schreiber in the back yard?—(*The Witness paused.*)

3497. How came you to be with Mr. Schreiber in the back yard?—Mr. Schreiber went through.

3498. What?—I was in the back yard when Mr. Schreiber first came into the house.

3499. You say you were in the back yard when Mr. Schreiber first came into the house?—I was.

3500. Do you mean to say that?—I do.

3501. I ask you were you not in your house, and did not Mr. Schreiber come to you, and ask you for your vote?—He did not.

3502. Did not you say to Mr. Schreiber, "I want to speak to you, sir, if you will allow me"?—Yes.

3503. And did Mr. Schreiber follow you?—Mr. Schreiber went into the yard with me and Mr. Byrne together.

3504. What did you want to speak to Mr. Schreiber about, if he had merely come to you to thank you for your vote?—My words to Mr. Schreiber in the back yard, as far as I recollect, were, "I hope, sir, you will succeed in pulling through your election."

3505. Why did you take him into the back yard to say that?—(*The Witness paused.*)

3506. Come, we are waiting for an answer?—I did not exactly understand what you asked.

3507. [By the *Committee.*] You said you went to speak to him in the back yard; why did you take him into the back-yard merely to say that?—Because Mr. Schreiber went into the tap-room where there were a lot of drunken men. I did not like to speak to Mr. Schreiber before them.

3508. What did you want to say to him?—Mr. Schreiber thanked me for my vote, I said, "I hope you will pull through."

3509. Mr. *Powell.*] Why go into the back yard to say that?—The reason I went into the back yard

yard was that I did not like to insult Mr. Schreiber by asking him to step into the taproom where there was a lot of drunken men. Mr. Byrne and Mr. Schreiber were together. There was nothing private.

3510. Why did you invite him into the back yard?—Because I did not like to insult Mr. Schreiber by asking him into the tap-room.

3511. That is your only reason?—That is my only reason.

3512. Now tell me what took place in the back yard when you were together?—Nothing more.

3513. Oh, yes, there was; come?—Nothing.

3514. You did not go into the back yard for nothing; come?—I declare I have told you all what I went into the back yard for.

3515. Now tell me this, did not you tell Mr. Schreiber that you had voted before, and had been treated very badly, and you should not vote again unless you were paid for it, or words to that effect?—No.

3516. Nothing of the sort?—No.

3517. Did you tell him you had voted before?—No.

3518. Did you tell him you had been treated badly?—No.

3519. By the *Committee.*] Had you voted before?—I had never voted before, and my interest was always——.

3520. Mr. *Powell.*] Had you never voted before?—I never had.

3521. Did you tell him you had been treated badly?—No.

3522. No?—No.

3523. Did you tell him you should not vote unless you were paid?—No.

3524. Was there no conversation at all in the back yard?—I say, nothing more than what I have informed you.

3525. What did you say when he thanked you for your vote?—I told him I hoped he would get to the head of the poll.

3526. That was all?—That was all.

3527. How long would it have taken you in the tap-room to say that?—I tell you I did not stop in the tap-room.

3528. How long would it have taken you to say that?—Perhaps half a minute.

3529. Now attend; did Mr. Schreiber ask you what you wanted?—No.

3530. Did you say 5 *l.*?—No.

3531. Did you say 15 *l.*?—No.

3532. Was anything said about 15 *l.*?—No.

3533. Any money?—No.

3534. Nothing at all?—No.

3535. Did you hear any money sound?—No.

3536. None whatever?—No.

3537. Was any money given to you?—No.

3538. Eh?—No.

3539. None whatever?—No.

3540. Was any money promised to you?—No.

3541. Pray, did you return with Mr. Schreiber into the tap-room?—No.

3542. Eh?—No.

3543. Where did Mr. Schreiber go?—Mr. Schreiber went away with Mr. Byrne; I remained in the back yard.

3544. Which way?—He went from the back yard, through the front, into the street.

3545. By the *Committee.*] By the way that he came?—Yes.

3546. Mr. *Powell.*] Did you see Mr. Stroud there?—Not on that day.

3547. Did you see Mr. Stroud and Laurence there?—No.

3548. Eh?—No.

3549. Did they join Mr. Schreiber in the tap-room?—No.

3550. Did Mr. Stroud say to you, "I hope you are going to give Mr. Schreiber your vote"?—No.

3551. Did you reply, "Yes, I shall vote for Mr. Schreiber"?—I was not asked the question.

3552. Then you did not say it?—I was not asked the question.

3553. Had Mr. Schreiber a book in his hand?—Not as I am aware of.

3554. Had Mr. Stroud a canvassing book?—Not that I am aware of.

3555. When was it you saw Mr. Stroud after this?—After I had promised Mr. Stroud my vote, as I said before, a fortnight.

3556. When did you see him after?—Two or three days before the election.

3557. Was that after you had seen Mr. Schreiber?—I am not prepared to say whether it was after or before.

3558. Do you know Mr. Spencer's shop?—Mr. Spencer's?

3559. Ay; do you know Mr. Spencer's shop, at the corner of King-street?—Yes.

3560. Did Mr. Schreiber, Mr. Stroud, and Byrne, go from your house to Mr. Spencer's shop?—I am not prepared to say; I could not say that.

3561. Will you swear they did not?—I could not say; I remained in my own back yard.

3562. Did you remain in the yard until after they were gone, or did you again join them in the house?—I never joined them afterwards.

3563. Did you see them after that night?—I am not aware of it.

3564. Will you swear you did not?—I have already sworn.

3565. I thought you told us first of all that Mr. Schreiber came into the back yard, because you were in the back room when he came?—(*The Witness paused.*)

3566. Did you not tell the Committee, when I asked you first of all, how Mr. Schreiber came into the back yard, that it was because you were in the back yard, and Mr. Schreiber came there to see you?—Mr. Schreiber came in at the front door from the street, and Byrne with him; he walked in through the passage into the tap-room; I was out in the back yard when Mr. Schreiber and Byrne came in.

3567. By the *Committee.*] You were out in the back yard when they came into the house first?—When they came right through into the tap-room, I was called from my work, I merely went in through the first door into the tap-room.

3568. Did you not tell the Committee that Mr. Schreiber came to you in the back yard, when you were in the back yard at your work?—Mr. Schreiber came to me; I was in the back-yard when one of them, I think, told me that Mr. Schreiber and Mr. Byrne had called.

3569. Do you know a person named Baldry?—Yes.

3570. Who is he?—I do not know what he is.

3571. What was he?—I think he has been

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boots or something of that sort at an hotel, I do not know what he is.

3572. In whose house was he boots?—I believe it was at the "Royal," I think so.

3573. Did he not lodge at your house?—No.

3574. At this very time?—No.

3575. Did he ever lodge in your house?—Yes, not at this time.

3576. When did he lodge in your house?—I am not prepared to tell you what day of the month.

3577. Did he lodge in your house throughout the election?—Yes.

3578. Did he lodge in your house previous to the election?—Yes.

3579. How long previous?—Perhaps five weeks before the election; I am not prepared to say, it might be.

3580. How long had he lodged in your house?—Three weeks.

3581. Do you not know what he was?—No, I don't.

3582. You never asked?—I knew his father; I don't know him.

3583. What has become of him?—I cannot tell you.

3584. When have you seen him last?—I am not prepared to say when.

3585. I want to know?—I don't know.

3586. Have you seen him since the Speaker's warrants have been out?—I could not say.

3587. You do not know where he is?—I know nothing about him.

3588. Do you know Mr. Laurence?—Yes.

3589. Now, I have asked you about Spencer's shop; I ask you, did you not see Mr. Laurence at Spencer's shop?—Yes.

3590. When did you see him there?—I will not be certain; I think it was the day of the election.

3591. I ask you if it was not this very day when Mr. Schreiber was at your house with you in your back yard?—I cannot recollect.

3592. Will you undertake to swear it was not?—I could not say; I will not be positive.

3593. Now, tell me, did Laurence give you anything there?—No.

3594. Did not Laurence give you a two shilling piece?—No.

3595. Never?—Never.

3596. Did he give you anything?—No.

3597. Did anybody give you anything there?—No.

3598. I ask you whether outside Spencer's shop Laurence did not hand you some silver, and whether you did not put it in your pocket and return to your house?—No.

3599. Nothing of the kind?—No.

3600. Neither that night nor any other night?—Not to my recollection.

3601. Will you swear it did not take place that very night?—I do not recollect anything of the sort.

3602. Will you swear it did not take place?—I have no recollection of Mr. Laurence after leaving my house.

3603. Will you swear you did not see him that very night, and that he gave you some silver?—I beg your pardon; I have answered that question.

3604. You must answer it again?—I can't recollect at all.

3605. By the *Committee.*] You can say positively whether Laurence gave you any money or not that night?—Not one farthing, nor the worth of a farthing.

3606. Mr. *Powell.*] Did you order half a gallon of beer, and did Baldry and you drink it?—No.

3607. Eh?—No.

3608. And the others?—No.

3609. Nothing at all?—No.

3610. Did you have any conversation with Baldry about it?—No.

3611. Did you say to Baldry, "I have done pretty well over this job; I have got four good sovereigns," and rattle them in your pocket?—No.

3612. Nothing of the kind?—No.

3613. Did you have any conversation with Sutton about the matter?—No.

3614. Eh?—No.

3615. Will you swear that?—I will swear it.

3616. Do you know Mr. Morgan, of the "Duke of Sussex"?—Yes.

3617. Have you not told Mr. Morgan that you knew enough to upset this election?—No.

3618. Nothing of the sort?—No.

3619. You know Morgan very well?—I know Mr. Morgan; Mr. Morgan has told me that I did know, but that is more than what I know myself.

3620. My question is, did you not tell Mr. Morgan that you knew enough to upset the election?—No.

3621. Did you deny it when Mr. Morgan said you did?—(*The witness paused.*)

3622. Eh?—No, I have nothing to say about it.

3623. Did you say you had no conversation whatever with Mr. Sutton?—Nothing in my recollection of any election matter.

3624. Perhaps I might refresh your recollection; on the evening that Mr. Schreiber was at your house, did some one say to you in Mr. Sutton's presence, "Mr. Schreiber has been here, hasn't he"?—No, not to my recollections.

3625. Did you say, "I am aware of it"?—No.

3626. Eh?—I deny it.

3627. Did you say you had a very good dab in the fist?—No.

3628. Did you say, "Where the devil were you?"—No.

3629. Nothing of the kind?—No.

3630. Did Sutton say, "Not far off"?—Not as I can recollect.

3631. What?—Not to the best of my recollection.

3632. Your recollection won't do?—I do not recollect anything of the sort.

3633. Will you swear nothing of that took place?—I will, and have done, and will again fifty times over.

3634. Mr. *Price.*] Do you know Mr. Mountain?—Yes.

3635. Mr. *Powell.*] There is one other question I wish to ask him; do you know Mr. Austin, one of the petitioners?—No.

3636. Do you mean to say you do not know Mr. Austin, one of the petitioners?—I do not.

Mr. *Austin*, with the permission of the Committee, was called into the room.

3637. There is the person; that lame gentleman. Now look at him; do you know who that is?—I have seen him before, and do not know him by name.

Mr. *Austin* then retired.

3638. Now,

3638. Now, I ask you, did you not see that man, Mr. Austin, in company with Morgan, and did you not say in the presence of both of them that you knew enough to upset this election, at the "Carpenters' Arms"?—I deny seeing this man present with Mr. Morgan in Morgan's house or any other house; I can recollect one night making an appointment with Mountain, to meet him at the "Carpenters' Arms."

3639. To meet whom?—Mountain, and Mountain wanted for me to go and substantiate a man's evidence that had been given; I could have a public-house; I could have flys, or any sum of cash; that could be given to me; I said I did not want it.

3640. Did you see that man there at the "Carpenters' Arms"?—I could not swear that I did; I never saw Mr. Morgan with him.

3641. Did you in the presence of that person say that you knew enough to upset the election?—I did no such thing.

3642. Do you know the "Duke of Sussex"?—I know the "Duke of Sussex."

3643. You know the "Duke of Sussex"?—Yes.

3644. Do you remember saying at the "Duke of Sussex," that you knew enough to upset the election?—Not that I am aware of. *J. Knowles.* 1 May 1866.

3645. Will you swear you did not?—I am not aware of it.

Cross-examined by Mr. *Price.*

3646. Now just about Mountain, who is Mountain?—I think he is Mr. Clerk's Boudle; I mean Mr. Boudle's clerk.

3647. He came to you and asked you if you would substantiate a statement made by Baldry, and he said to you; what?—I could be put into any public house; I could have horses and flys if I liked, and if I did not want that, I should have cash.

3648. What money?—Any sum I could like to name.

3649. Was 100 *l.* named?—He wanted for me to name the sum.

3650. By the *Committee.*] Who did you vote for?—I voted for Mr. Schreiber.

3651. Mr. *Price.*] Sutton, I think, you said, was in the house in the top room, was he?—He was in the top room, I believe, at the time.

[The Witness withdrew.

Mr. William Hands was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen,* as follows:

3652. Are you a druggist residing at No. 273, High-street, Cheltenham?—Yes. Mr. *W. Hands.*

3653. Do you know Mr. Fortescue?—Yes, I believe I do.

3654. Did you see him a few days before the election?—Yes.

3655. Did he come to your house?—In company with another gentleman.

3656. What time in the day?—Sometime between one o'clock and three.

3657. What did he come about?—When they came into the shop, they asked me, "How are you, Mr. Hands?" I said, "Quite well, thank you."

3658. Did they want you to vote for Mr. Schreiber?——

3659. By the *Committee.*] What was said?—They asked me, if I would vote for Mr. Schreiber; I told them I had promised Colonel Berkeley.

3660. Was anything else said?—"I believe you are a candidate for the Gas Inspector's office."

3661. Who said that?—The old gentleman, Mr. Fortescue, I believe.

3662. Mr. *Fitzjames Stephen.*] What did you say to that?—I said I had thought about it, but I had given up all thoughts about it as a friend of mine, Mr. Williams, would, I thought, be elected.

3663. What did he say?—He said, "Well, if you think you can conscientiously support Mr. Schreiber, I think we can promise you the office."

3664. Was your wife there?—She was.

3665. Did she say anything?—She did; she said, "What guarantee would Mr. Hands have if he voted for Mr. Schreiber, that he would have that office?"

3666. What was said upon that?—"My word that we have a majority at the Board?"

3667. Who said that?—Mr. Fortescue, I believe, the old gentleman.

3668. What did you say to that?—I told them I would consider the matter, and let them know.

3669. Do you recollect the day of the election?—I do.

3670. Did you see Mr. Schreiber that day?—Yes, I did.

3671. Where did you see him?—I saw him in company with a man named Palmer, and another person, named Jones, Mr. Leighton's traveller, in a fly. They came out of a house in Burton-street; I was standing with another person named Cooke, and another man whom I do not know, and we followed them in a fly.

3672. Were they in the fly, or how?—They were in a fly.

3673. How long were you following them?—I should say from about half-past two till about a quarter to four.

3674. Where did they go?—They went from Burton-street across into their committee room, or the Royal Hotel, from there into the Bath Road, from there up to Montpelier-street, where they stopped a little, and then they went back again to the committee room, or the Royal Hotel which is close by.

3675. Did they go into these places you have mentioned, or only stop at the door?—I will not be certain whether all of them went in; some of them went in.

3676. Do you know George Powell?—George Powell, no sir, I don't.

3677. Now this Mr. Jones, who is he?—He is traveller for Harrison & Leighton's Brewery.

3678. By the *Committee.*] Who did you vote for?—Colonel Berkeley.

3679. Mr. *Fitzjames Stephen.*] Do you know a man named Winter?—I do.

3680. Did you see Winter just before the election?—I did.

3681. How long before?—About 10 days before.

3682. Did he come to your house?—He came to my house in a four-wheeled chaise, and asked me if I would go with him for a drive, he was going round to several places.

Mr. *W. Hands.*

1 May 1866.

3683. Did you go with him?—I told him I wanted to see Mr. Mallett, and I went with him.

3684. While you were on the road, what did Mr. Winter say to you?—He asked me, if I really meant to vote for Colonel Berkeley; I told him I did. He said, "Why so?" I said that I was in favour of the ballot, and a large extension of the suffrage.

3685. By the *Committee.*] Did he say anything to you about your vote?—He did.

3686. What did he say?—He asked me if I really intended to vote for Colonel Berkeley; I told him, Yes, I did.

3687. Mr. *Fitzjames Stephen.*] He said why so, and you said something?—I stated my opinions.

3688. What did he say after you stated your opinions?—He said, if I would vote for Mr. Schreiber he could get me a 10 *l.* note.

3689. What did you say to that?—I told him I should not do anything at all of the kind. He asked me if I should see Mr. Engall; I told him no.

Cross-examined by Mr. *Price.*

3690. I think I gather from you, without going into it, that you are a strong Yellow?—Yes, I am.

3691. And you went about this day, as I understand, as a kind of spy upon Mr. Schreiber's movements?—I was out all night looking after him.

3692. Looking after Mr. Schreiber?—Looking after his party; not after Mr. Schreiber. I did not see Mr. Schreiber that night at all.

3693. You seem to have followed him about wherever he went, when he was in this place?—I did.

3694. Were you told to do so?—I don't know that I was.

3695. What made you do so, your principles?—I felt inclined to do so.

3696. To watch him?—Yes.

3697. Of course you would not think of selling your principles or your vote; you refused this 10 *l.*, did you not, that Mountain offered you?—I did.

3698. What other sum did you refuse?—No other sum.

3699. I have no doubt you told Mr. Fortescue, when he asked you if you could conscientiously vote for Mr. Schreiber, that you could not conscientiously vote for him?—I told him I could not.

3700. Now this is a matter of principle; will you tell me whether that is your handwriting (*handing a note to the Witness*)?—It is.

3701. It is dated June the 28th, 1865, and it is addressed to Mr. Byrne, of the loan society, a Blue man?—I did. I can explain why I wrote it.

The learned counsel read the same, which is as follows:—

"273, High-street, 28 June 1865.

"Sir,

"I have filled up an application paper for 15 *l.*, and offer my father as surety for the same. The above sum would be of great use to me if I could obtain it this week. If you will kindly assist me in this matter, you may rely on my support at the election. I will also get my father's vote; and I will take care that the instalments shall be regularly paid.

"I am, Sir, your's faithfully,

"Mr. Byrne." "*William Hands.*"

The *Witness.*] I was going to explain that.

3702. Mr. *Price.*] Did Mr. Byrne refuse to give you the loan?—Yes, afterwards he did.

3703. Now you may explain your principles, if you like?—I met Mr. Byrne in the street, and he spoke to me about my vote. I had had several transactions with this loan society in sums varying from 10 *l.* to 80 *l.*, at different times. Those sums were all paid back again. I then applied for another loan, which they refused to grant. When Mr. Byrne spoke to me about my vote, I told him that inasmuch as he had not granted me the loan, I could not think of supporting him. He then asked me something about my father's vote, and said, "Now, you make an application in writing, and I have no doubt that you will get it." I did make that application; but when I made it I had no intention whatever of voting for Mr. Schreiber.

3704. By the *Committee.*] You promised your vote, and yet did not intend to vote for him?—I admit having promised, but I had no intention of fulfilling it.

3705. You did not see any harm in that?—There was harm in it, no doubt; but those are the real facts of the case.

3706. Mr. *Price.*] It was a few days before the election that Mr. Fortescue came?—About a week or 10 days.

3707. What time was it that you saw Mr. Schreiber and Mr. Palmer together?—It was from half-past two to a quarter to four.

3708. You watched them from half-past two to a quarter to four, the whole time?—I believe so.

3709. You are not sure of it?—I won't be positive the whole of the time; it was between half-past two and a quarter to four.

[The Witness withdrew.

[Adjourned till to-morrow, at Eleven o'clock.

Wednesday, 2d May, 1866.

ACTON SMEE AYRTON, Esq., in the Chair.

AMELIA HANDS was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:—

A. Hands.

2 May 1866.

3710. ARE you the wife of Mr. Hands, the druggist, at Cheltenham, who was examined here last evening?—Yes.

3711. Do you remember a short time previous to the election two gentlemen coming to your husband's shop?—Yes.

3712. I don't know whether you knew the names of those gentlemen at the time?—No, sir, I did not.

3713. Do you now know the names of them?—I don't know the names.

3714. Tell me, if you please, what they said to your husband?—The old gentleman asked my husband for his vote; Mr. Hands said he had promised his vote to Colonel Berkeley; they then said to him, "Your father has always voted conservative." Mr. Hands said, "My views and my father's views are different altogether."

3715. What was then said?—The old gentleman said, "You are a candidate, I believe, for the gas inspector's office."

3716. What did Mr. Hands say to that?—Mr. Hands said, "I had thought about it, but Mr. Williams, a friend of mine, is a candidate for the same, and I think he will stand a good chance."

3717. What was said then?—Then the gentleman said, "If you will vote for Mr. Schreiber the office shall be yours."

3718. Was anything more said?—I asked him what guarantee Mr. Hands would have, provided that he voted for Mr. Schreiber, that he should get this appointment.

3719. What did he say to that?—He said, "My word."

3720. Did anything more pass that you recollect?—I think that was about all.

3721. You think that was about all?—Yes, I think so.

Cross-examined by Mr. *Price*.

3722. Are you quite sure as to the words used, Mrs. Hands?—Yes.

3723. Eh?—Those were the precise words.

3724. Those were the exact words, were they?—I think they were.

3725. Eh?—I think they were.

3726. Are you sure about it?—Yes.

3727. Have you a very clear recollection, or not, or are you doubtful?—Those were the words.

3728. Are you sure at all about them?—Yes.

3729. You are quite sure?—Yes.

3730. Eh?—Yes.

3731. You are quite sure you have told us all that was said?—Yes, I think that was all; they were not in the shop long.

3732. Are you quite sure you have given us all?—Yes.

3733. What did you say to this gentleman who spoke?—What guarantee should Mr. Hands have provided he voted for Mr. Schreiber.

3734. What did he say?—"My word."

3735. Is that all that he said?—"We have a majority," he said, "at the Board."

3736. What?—"We have a majority at the Board."

3737. You remember that now?—Yes.

3738. Just now you told me you had stated all?—I did not think of that.

3739. How often have you had your evidence read over to you?—Sir?

3740. How often have you had your evidence read over to you?—Not at all

3741. Never?—No.

3742. When did you first mention this conversation?—Mr. Mountain called on me.

3743. When did you see Mr. Mountain?—He is Mr. Boodle's clerk.

3744. When did he come?—It might be a fortnight ago.

3745. Eh?—About a fortnight ago, I think.

3746. Was that the first time you had ever mentioned the conversation?—Yes, I don't know that I spoke of it before.

3747. You remembered it from the time of the election down to a fortnight ago?—Yes.

3748. Have you talked it over with your husband ever?—No, I never passed any conversation about it.

3749. You never talked it over with anybody?—Not that I am aware of.

3750. Not even last night with your husband?—No, I don't think I said anything to him at all about it.

3751. Did you ask him what he had been saying?—No.

3752. Did he tell you what he had been saying?—No, he has not asked me anything.

3753. No, but did he tell you what he had been saying?—No.

3754. Have you seen what he said in any newspaper this morning?—No.

3755. Did you or not talk over it last night?—No, he has not told me any evidence at all.

3756. I am not asking you about whether he told you as to any evidence at all; what I am asking you is this, did you talk at all over it last night after you went home, or wherever you were staying?—Not with my husband at all.

3757. You never mentioned the subject?—No.

3758. You never mentioned it either from the time that you heard it, that is from the time it took place, down to a fortnight ago?—Not that I am aware of.

3759. You would be aware of it, because your memory is such a good one; you never talked of it with your husband at all?—No, nothing about the election at all.

3760. Will you undertake to say that you never talked to your husband upon it from the time

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time that it took place, in fact, never at all to your husband?—No.

3761. Never?—Not that I can remember now.

3762. You never discussed the subject with him at all?—No.

3763. From that time?—I certainly wished him to vote for Mr. Schreiber.

3764. But his principles were the other way?—Yes; they have always been.

3765. Do you remember his applying for a loan to the other side, and offering his vote, and his father's vote, if he could get the money?—I remember his writing a letter.

3766. And offering his father's vote and his own for the Blues if he could get the money?—I don't know anything about that.

3767. What was this gentleman like?—He was a tall gentleman.

3768. There are many tall gentlemen in Cheltenham, I daresay; what was he like?—He was an old man, about 70.

3769. How was he dressed?—I think it was in dark clothes; I did not take particular notice as to his dress.

3770. Your husband did not seem to know him either?—After he went he said he thought it was Mr. Fortescue.

3771. Then you did not take the trouble to ask him who was giving this guarantee, and who he was?—No, sir, I did not do that.

3772. Nor did your husband?—Sir?

3773. Nor your husband either?—No.

3774. Although he promised your husband this fine place, you never asked him who he was, so that you might know what his word was worth?—No, sir.

[The Witness withdrew.

SOLOMON GILLETT was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephens*, as follows:

S. Gillett.

3775. ARE you a Broker at Cheltenham?—I am.

3776. In High-street; and a voter?—Yes.

3777. Do you know Mr. Stroud?—Yes.

3778. Do you know Mr. Byrne?—Yes, I do.

3779. Did you see them together on the 23d of June?—I did see them together on one day; I am not certain whether it was the 23d.

3780. You saw them a fortnight before the election, I suppose?—Yes, it was.

3781. What were they doing?—They met me in the street, and said they had been to my house to solicit me for my vote for Mr. Schreiber.

3782. Who spoke to you?—Mr. Byrne.

3783. What did he say?—He knew me; Mr. Stroud did not; so he said, "This is Mr. Gillett, Mr. Stroud."

3784. By the *Committee.*] Byrne said that?—Yes; he said he had been to my house to ask me for my vote for Mr. Schreiber.

3785. Mr. *Fitzjames Stephens.*] What did he say to that?—I told him it was rather early days yet; it was a long time before the election; perhaps a better man might offer himself; I should not promise.

3786. On the following day, did you go to Mr. Stroud's office?—On Thursday; I don't know whether that was the 23d or not; it was on the Thursday I went to Mr. Stroud's office; whether that was the 23d or not I don't know.

3787. You went to him on the Thursday?—I did.

3788. What did you go there for when you got there?—He said that he was very busy canvassing, and his clerks were also busy; he also asked me if I would go to Andoversford to serve a writ for him.

3789. What did you say?—I said I would.

3790. Did you say anything more?—He gave me a copy and the original, and I went to do so.

3791. Had you any conversation with him about anything else besides the writ?—Yes.

3792. What else?—I asked him if he could not give me a job, as I had not much to do, as a messenger, or some employment.

3793. What did he say to that?—He said, yes, he thought he could; but he said they were not very busy just then; he should not be able to put me on for a few days.

3794. Did he say anything else?—When I came back—I could not serve the writ that day, so that I brought it back—I went to his office again; then on the Saturday I took it up again, and he gave me a note to go to Mr. Gwinnett's to be put on on Monday.

3795. Did he say anything to you when he gave you the note about the subject; at the time you went to him when he gave you the note, did he say anything to you about being a messenger?—He said I was to take it to Mr. Gwinnett, and he would put me on.

3796. Was there anything said about your vote?—No.

3797. You told us that Mr. Stroud asked you in the first instance for your vote; you said you would not promise; was there anything after that said as to which way you would vote?—Mr. Byrne said, "That would be all right; a better man will not offer himself, you may depend on it." He says, "Then you will vote for Mr. Schreiber;" I said, "Certainly."

3798. What did he say to that?—That was the same time when I said that perhaps a better man might offer himself; it was at the same time.

3799. When was it that you promised your vote to Mr. Schreiber?—I never promised him my vote.

3800. I thought you said you did?—I promised Mr. Stroud, provided a better man did not offer himself.

3801. Was anything said about your vote at the time when you were to be put on as a messenger?—No, sir, not a word.

3802. What were you to be paid, being a messenger?—I was paid 5 *s.*; but I had no agreement for any price when I was engaged.

3803. How much were you paid altogether?—3 *l.* 15 *s.*

3804. For how many days?—Fifteen days.

3805. What did you do as a messenger the first day?—The first day?

3806. At the beginning, what did you do?—I cannot exactly recollect what I did the first day; there was not much to do the first day. I went to and fro with a note or two, and put some bill boards in and out. There was not much to do for the first two or three days; but still I had something to do every day, such as posting letters, and running with letters to some persons privately.

3807. Who

3807. Who paid you?—Mr. Baylis.

3808. Where were you paid?—I was paid a day or two after the election, at the "Royal Hotel."

3809. Were others employed as messengers?—Yes, there were.

3810. Do you know a man named Foyle?—I do.

3811. Is he a voter?—Yes.

3812. Was he paid as a messenger?—I believe he was.

3813. Mr. *Price.*] Do you know it?—Not positively. I was not there when he was paid.

3814. Mr. *Fitzjames Stephen.*] What did Foyle do as a messenger?—He had done some things.

3815. Did you engage Foyle?—No, I did not.

3816. Did you see Foyle there?—I saw him every day.

3817. What did you see him do?—He done the same as myself, barring a few days when I was ill with the gout, and when I was not allowed to go out. I carried letters up and down to the committee-room, so that I did not go out with circulars or anything of that kind; but I was there every day.

3818. Was there a man named Bishop?—There was.

3819. Now, about Bishop; is he a voter?—He was a voter.

3820. How are his feet?—Rather tender.

3821. How was he as to sobriety?—I saw him the worse for liquor.

Mr. *Price* objected to any evidence being given as to Bishop, upon the ground that he was not in the list.

The *Committee* allowed the objection.

3822. Mr. *Fitzjames Stephen.*] You say you were in the committee-room; did you see Byrne in the committee-room?—I did.

3823. And Mr. Stroud?—Yes.

3824. Often?—Yes; every day, once or twice.

3825. Which committee-room was this?—Which committee-room?

3826. What street was it?—In the High-street, at Liverpool-place; it lies back, out of the High-street.

3827. That was the central committee-room, I think?—It was. *S. Gillett.*

3828. Do you know Mr. Barnfield?—I do. 2 May 1866.

3829. Did you see him in the committee-room?—I did see him there; I do not think I saw him more than once or twice.

3830. Did you see Mr. Schreiber there?—Yes.

3831. Was he often there?—Yes.

3832. Did you see Powell there?—Not that I am aware of; I don't know Powell.

3833. You have been examined, and made a statement to Mr. Gaisford, have you not?—Yes.

3834. By the *Committee.*] Have you made a different statement to any gentleman who acts for the petitioners?—I saw Mr. Chesshyre.

3835. Did you make a statement to him?—I did.

3836. Was it the same, or different to that which you have stated here to-day?—Very nearly the same.

3837. In what respect did it differ?—I would not tell him anything respecting what he wanted to know; whether I received money, or such like. I told him I should have nothing to say to that.

3838. You would not tell him you knew about it?—I would not. I said I was paid for my labour.

3839. Mr. *Fitzjames Stephen.*] Did you not say this: "When I asked Mr. Stroud if he would pay me money, Mr. Stroud said, 'of course you will go with us?'"—I did not.

3840. Did you not tell the agent to Mr. Chesshyre?—No.

3841. Or his clerk?—No, I had no conversation with his clerk.

3842. Have you seen Knowles since last night?—Eh?

3843. Do you know Knowles?—Yes.

3844. Have you seen him since last night?—Yes, I saw him this morning.

3845. Have you had any conversation about your evidence this morning?—No, he did not say a word about it.

3846. Did you say anything to him about it?—No.

3847. Or any conversation on it?—No, not one creature belonging to either party.

[The Witness withdrew.

Martin Foyle was called in; and, having been sworn, was Examined by Mr. *Fallon,* as follows:

3848. What are you, Foyle?—A gentleman's servant. *M. Foyle.*

3849. Where do you live?—12, St. James's-place, Cheltenham.

3850. Are you a voter?—I had a vote at the last election.

3851. Did you vote at the last election?—I did.

3852. Who did you vote for?—Mr. Schreiber.

3853. I mean the previous one; the election of 1859; did you vote in the year 1859?—No, I did not.

3854. Were you employed at the committee-room?—Yes.

3855. When were you taken into employ?—On the Monday.

3856. What month, and what time; can you remember?—Yes, in June.

3857. Who engaged you?—Mr. Henry Davis.

3858. Were you told what you were to have?—No, sir, not at the time.

3859. Any time?—No; Mr. Davis did not tell me what I was to have; he did not know what it would be.

3860. Did you receive anything?—No, not but what I earned.

3861. Tell us what it was you so earned?—Five shillings a-day.

3862. For how many days?—21 days.

3863. How were you engaged during those 21 days?—At different places; I went about with circulars.

3864. Let me know what you did do?—I took all the circulars that I was sent about with to every place; different places round Cheltenham.

3865. Did you do something every day?—Every day except one. I did not do much one day.

3866. When was that?—On the first Monday.

3867. Were you not laid up with rheumatism or gout?—Yes; I got wet two days; but I stuck to my work; I stuck to the rooms.

3868. How did you come down to the rooms?—I came down in a wheel-chair.

3869. By the *Committee.*] How many days after you

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you were first employed did you get wet?—Twenty-one days I was employed.

3870. You say you got wet and had rheumatism?—Yes; but I got to my work all the same.

3871. How many days after you were first employed was it that you got wet?—I attended to the rooms, and did everything I could do. I shut up the shutters.

3872. How many days was it after you were first employed that you got wet, and got rheumatism?—I can't tell.

3873. Was it a week?—It was a fortnight; within three days of the time being up.

3874. Mr. *Price.*] You did not go out?—No; I went out with a short message.

WILLIAM SIMONS, recalled; further Examined by Mr. *Fitzjames Stephen.*

W. Simons.

3875. Do you recollect the last election at Cheltenham?—Yes.

3876. What are you?—A plumber.

3877. Where do you live?—I live at No. 8, St. George's Parade, at present; but at the time of the election I lived at No. 1, Bay's Hill-terrace.

3878. At the time of the election, were you employed driving a fly to bring up the voters?—No, sir.

3879. Did you drive a fly to bring up voters?—I was employed on a fly.

3880. You went with a fly?—I did.

3881. Who went in the fly?—There were several.

3882. Who were they?—In the first place, when I was on the fly at the first starting of the fly, it started from the committee-room.

3883. Who was in the fly when you first started?—I cannot remember the men's names who were in the fly. We were going down the Gloucester-road to fetch voters.

3884. Did you come to a place called the Old Hospital, in the High-street?—Afterwards.

3885. Did you there see a man called Thomas Jones?—Young Mr. Parsonage was with me in the fly at the time.

3886. Who were in the fly when you saw Thomas Jones by the Old Hospital?—Mr. Edward Parsonage.

3887. Any one else?—A young man of the name of Powell.

3888. Is that George Powell?—No; his name isn't George. I believe it was a son of George Powell, the cabinet maker.

3889. And young Parsonage, you say?—Yes.

3890. Did you speak to Jones?—Young Parsonage said to me, "There's Jones." I told him, "Yes," and asked him if he wouldn't come and go and vote.

3891. You did?—I did.

3892. What did Jones say?—He says, "Is there anything to be had?"

3893. What did you say to that?—He says, "I can get it on the other side."

3894. What did you say to that?—"I dare say there is. I'll speak to Edward."

3895. Who is Edward?—Edward Parsonage.

3896. What did you then do after you said you would speak to Edward?—Jones went back and spoke to Edward.

3897. Did you speak to Edward?—I said, "Jones wants to know if there is anything to be had;" and then Jones came down to the fly door and spoke to him.

3998. And spoke to Edward Parsonage?—Yes.

3899. Did you hear what Edward Parsonage said to him?—No.

3900. Just think?—Edward said we were to drive up to the North Ward Committee-room.

3901. Did you hear this said to Jones?—No; Edward Parsonage said that we were to drive up to the North Ward Committee-room.

3902. By the *Committee.*] Did you hear what he said to Jones?—No.

3903. Mr. *Fitzjames Stephen.*] What more did he say?—"I must go and see Mr. Cockrell." I asked him if it was Cockrell the saddler. He said it was. We went up to the North Ward Committee-room.

3904. What became of Jones?—Jones walked up the pavement where we lighted on him in High-street.

3905. He walked, and you drove; did you drive quick or fast?—Slow; he walked up with us.

3906. When you got to the North Ward Committee-room, what became of Parsonage?—He went up to speak to Cockrell.

3907. What became of Jones?—Jones went into the committee-room.

3908. What did you do?—I stayed at the door.

3909. At the doorway of what?—The committee-room.

3910. Did you see who was in the committee-room?—No.

3911. Did you see Parsonage speak to any one in the committee-room?—Young Parsonage spoke to Jones at the door, and said he was to go into another room.

3912. Did you see any one else in the committee-room?—There were several that I saw there.

3913. Just tell us who you saw?—I cannot remember any of the names that I saw.

3914. Did you see anything of Cockrell?—I didn't see him myself.

3915. Then you say Parsonage told Jones to go into another room; did he go?—He did.

3916. What happened then; did you see whether he came out?—Parsonage came to the door. He says, "Is it all right?" He put his hand in this way (*holding up the five fingers of one hand*), as I understood at the time.

3917. Never mind what you understood; did he say anything?—That was all.

3918. In reply to asking whether it was all right he held up five fingers; who held up five fingers?—Young Parsonage. The next time I saw Jones was at the committee-room in Bay's Hill-terrace.

3919. Did you see Jones vote?—I did not, unless he was at the Bay's Hill-terrace Committee-room. I saw him come to the fly or carriage, going towards the poll, with Mr. Schinner, of the brewery; the manager of Gardiner's brewery.

3920. Do you know a place called the Bay's Hill Inn?—I do.

3921. Did you see Jones there after the election?

tion?—I saw him after the election; not on the day of the election.

3922. How long after?—I think, to the best of my remembrance, the next time I see him would be, I think, it would be the Thursday. I think it would; it was either Thursday or Friday.

3923. Did Jones say anything when you saw him?—I asked him how he got on.

Mr. *Price* objected to the question.

The *Chairman* stated the Committee were of opinion that that was not evidence.

Cross-examined by Mr. *Price*.

3924. Now just let me know a little more about you, Mr. Simons; you were in the employment of Mr. Parsonage?—I was.

3925. He has turned you away?—He has.

3926. How long ago?—In November last.

3927. You brought an action against him in the County-court?—I did not.

3928. You had an action in the County-court against some other person?—I had not.

3929. Were you a witness in an action in the County-court?—I was.

3930. It was an issue to try the question about a bill of sale, was it not?—It was. *W. Simons.* 2 May 1866.

3931. You were the principal witness in the case?—I was a witness.

3932. Did the County-court judge, in giving judgment, say that you had been guilty of wilful perjury?

Mr. *Powell* objected to the question.

The *Chairman* intimated that the question could not be put.

3933. Were you dismissed by Mr. Parsonage after giving that evidence; was it after that County-court business that you were dismissed?—I was dismissed before the County-court business was settled.

3934. But after you had given your evidence?—It had been adjourned for a time.

3935. After you had given your evidence, did Mr. Parsonage dismiss you in consequence of what took place at the trial?—I believe so.

3936. Mr. *Powell.*] Was this an action that you had anything to do with?

[The Witness withdrew.

THOMAS JONES called.

UPON the Book being tendered to him to be sworn, he objected to being sworn on the ground that he had not been paid sufficient for his expenses, and thereupon Mr. *Powell* declined to call him. *T. Jones.*

Mr. GEORGE SEYS was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

3937. ARE you a Superintendent in the Gloucestershire Police now stationed at North Leach?—I was.

3938. Were you for many years stationed at Cheltenham?—I was.

3939. How long have you been in the force altogether?—For more than five-and-twenty years.

3940. Did you know a person named Joseph Palmer?—I did very well.

3941. By the *Committee.*] What office had you in the police at Cheltenham?—Superintendent.

3942. Chief superintendent?—No, a district superintendent. I had the district of Tewkesbury, but I resided in Cheltenham.

3943. Mr. *Powell.*] Did you know Joseph Palmer?—I did.

3944. Was he in the force under you?—He was.

3945. I believe he has left the force, and since then has kept a cider-shop in the High-street?—I have heard so.

3946. Were you at Cheltenham during the last election?—I was.

3947. Whilst you were there, did you see this man, Joseph Palmer?—Yes.

3948. Where did you see him?—In St. George's-street.

3949. Did he come to you, and speak to you?—He did.

3950. What did he say to you?

Mr. *Price* objected to the question.

The *Chairman* stated that Mr. Powell was at liberty to show any act done.

3951. Mr. *Powell.*] While having a conversation with you, did he show you any money?—No.

3952. Did you see any money?—No.

3953. Did he mention any money? Mr. *G. Seys.*

Mr. *Price* objected to the question.

The *Chairman* stated that statements made to this witness were not evidence.

3954. Mr. *Powell.*] Did you see him at any other time near the platform?—Near the platform?

3955. Did you see Palmer more than once during the election?—I did.

3956. Did he at any time show you any money?—I saw money in his hand.

3957. About how much money did you see in his hand?—I saw, I thought, three or four sovereigns.

3958. Three or four?—I will not be sure they were sovereigns, but I believe they were.

3959. By the *Committee.*] Where was this that you saw him with this money in his hand?—About 10 yards from the polling-booth.

3960. What did he say about that money?—Nothing. He had previously told me he had got money.

Mr. *Price* objected to this evidence.

Mr. *Powell* contended that if he could prove that having told the witness something he saw money in his hand, that it was material to the inquiry.

The *Chairman* stated that it was of no importance unless it was proved that something was done with the money. As the evidence at present stood it was, that he merely had money in his hand.

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3961. Mr. *Powell.*] Do you know a person named Byrne?—I do.

3962. Did you see him and Palmer together?—I did.

3963. Did you see anything take place between them?—I saw Byrne just by the committee-room door. Palmer was coming up the street with a man, and the man stood opposite the committee-room. Palmer went to the committee-room door, and he received a piece of paper from Byrne.

3964. By the *Committee.*] Who was the man?—Byrne. Palmer received a paper out of Byrne's hand.

3965. Mr. *Powell.*] What did he do then?—He walked towards the polling booth.

3966. Who walked there?—Palmer, and the other man with him.

3967. Who was the other man?—Not Byrne.

3968. Do I understand you to say that at the committee-room Byrne and another man joined Palmer?—No, I will tell you: the man came up from the High-street, a short distance up St. George's-street, as far as the committee-room door; the man who was with Palmer stood about the middle of the street. Palmer left the man standing, and went to the committee-room door, where he joined Byrne. Byrne gave him a piece of paper, and Palmer walked up the street with the man he had previously left in the street.

3969. Where to?—He walked up to the polling booth.

3970. How long was that after you had seen the money in Palmer's hand?—As they passed up the street I saw the paper in Palmer's left hand, and the money which I supposed to be sovereigns, I saw in his hand.

3971. In his right hand?—In his right hand.

3972. As they went up to the poll?—Yes, that was about 10 yards below the polling place.

3973.—What did he do with it?—I saw him put the paper into the man's left hand just before entering the booth.

3974. You saw him put the paper into the man's hand at the booth?—Yes.

3975. Did you see whether he had previously changed the paper from one hand to another?—Yes.

3976. He had?—He had.

3977. Which hand had he changed the paper to?—From the left to the right.

3978. Into the same hand that you saw the money in?—Yes.

3979. Was it from that hand that you saw something given to the voter?—I saw him put it into that hand, and the other man received it. Whether it was money or not I cannot tell.

3980. You believe it was money?—Yes.

3981. Now, when he came out of the booth did Palmer go into the booth with the man?—He did into the lower end of the booth, next the High-street.

3982. When Palmer came out of the booth did he say anything to you?—He did.

3983. What did he say to you?—

Mr. *Price* objected to the question.

The *Committee* allowed the objection.

3984. Mr. *Powell.*] Did you afterwards have a conversation with Palmer?—I did.

3985. Have you seen Palmer lately?—No.

3986. Have you any idea where he is?—Not the slightest.

3987. By the *Committee.*] How long have you left Cheltenham?—I was only there for the election; I am stationed in another district.

3988. Mr. *Cooke.*] North Leach is 10 miles off?—Twelve miles off.

3989. Mr. *Price.*] You only come to Cheltenham on state occasions?—Only on state occasions.

[The Witness withdrew.

WILLIAM PRESTON was called in; and having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:

W. Preston.

3990. WHAT are you?—A Carver and Guilder.

3991. Where do you live?—411, High-street.

3992. Were you a voter at the last election?—I was.

3993. Do you know a man called Lowe, the printer?—I do.

3994. Did he tell you something?—He did.

3995. Had you some rent owing to your landlord at that time?—I had, half a-year's rent.

3996. Do you know a man of the name of Schinner, the manager of Gardiner's brewery?—I do.

3997. Had Schinner said anything to you about voting?—He had.

3998. What had he said to you?—He asked me who I thought of voting for; he asked me my politics.

3999. Who did you think of voting for?—Colonel Berkeley.

4000. What did he say?—He said he should like me to vote the other way, and how about paying my rent.

4001. Did you say that, or he?—No, I did not.

4002. He said that?—Yes.

4003. What did you say?—I said, "Well, I have no doubt I shall pay my rent."

4004. What did he say to you about the rent?—He said, "You had better think it over, for if you don't vote we shall be compelled to force the rent." I thought it over some days.

4005. What more passed about it; what did you do?—He called at my house where I am living. He first of all told me he wanted to see me in the brewery yard.

4006. By the *Committee.*] Who is your landlord?—He is the collector of the rent.

4007. Is Schinner the collector of the rent?—Yes. He told me that if I would vote for Mr. Schreiber he should not press me at all for the rent.

4008. Mr. *Fitzjames Stephen.*] Who did you vote for?—I voted for Mr. Schreiber.

4009. Do you know Mr. Schreiber by sight?—I have seen him.

4010. Have you ever seen Mr. Schinner with him?—I have seen them all together coming up High-street.

Cross-examined by Mr. *Price.*

4011. You voted for Mr. Schreiber?—I did.

4012. They

4012. They distrained upon you directly afterwards?—No.

4013. Very soon after?—Last January they distrained upon me.

4014. Schinner did?—Yes.

4015. For the rent that was due at the time you spoke about the vote?—For that and —— (*pausing*).

4016. And other arrears?—And the little that was owing after Mr. Schinner called upon me at my house; that he would see anything that I wanted done, if I voted for Mr. Schreiber, they would do it. They also papered the house, painted it, and made it look very tidy for the old place that it was, after the election. *W. Preston.* 2 May 1866.

Re-examined by Mr. *Powell.*

4017. They did not distrain upon you till January?—They did not distrain upon me till January.

[The Witness withdrew.

JOHN LOWE was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:

4018. Is your name John or James?—John.

4019. Are you a Printer?—I am.

4020. Living at Portrait-street, Cheltenham?—Yes.

4021. Do you know Mr. Henry Gwinnett?—I do.

4022. Did Mr. Gwinnett ever give you a message for Preston?—He did.

4023. What was that?—It had reference to his vote.

4024. Tell us what the message was, what he said?

Mr. *Price* contended that this was inadmissible, because it was not the evidence of a voter who was bribed.

The *Chairman* stated that Mr. Fitzjames Stephen might proceed.

4025. Mr. *Fitzjames Stephen.*] Did he give you any message to Preston?—He did.

4026. Did you deliver that message to Preston?—I did.

4027. Now what was it?—It was to this effect, that he was very anxious, and would be very glad if Preston would vote for Mr. Schreiber; but whether he did or not, he must pay his rent.

4028. Any more about the time when?—Some few days before the election.

4029. No, I mean about the time when the rent was to be paid?—There was no time mentioned at all; it was to be paid, he said.

4030. Was that all he said?—That was all.

4031. Have you been examined by Mr. Cheshire, or any anybody, about this matter?—No, I have not; I have met Mr. Cheshire accidentally; I have never waited on Mr. Cheshire; although he sent for me, I never went to him. *J. Lowe.*

4032. Have you not spoken to Mr. Cheshire about what you knew of this case?—He passes my house every day, and I have met him accidentally.

4033. Have you not spoken to Mr. Cheshire about what happened between you and Mr. Gwinnett?—Mr. Cheshire spoke to me, rather.

4034. Did you not tell Mr. Cheshire that Mr. Gwinnett said that if Preston voted for Mr. Schreiber, he would not be pressed for his rent, although it must ultimately be paid; did you not tell Mr. Cheshire that?—I did not.

4035. You did not say so?—No, I did not. The words I made use of to Mr. Cheshire were the same as I have now told you.

4036. And you say that that is true; that he never did say anything about not being pressed for the rent?—I swear he never said that. He said he would have to pay his rent, whether he voted or not, but he would be very happy for his vote.

Mr. *Price* stated that he had nothing to ask in cross-examination.

[The Witness withdrew.

Mr. *Powell* stated that he had a few other cases, but he did not think it necessary to trouble the Committee with them, and he would now proceed to prove Agency.

HENRY ISHER was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

4037. ARE you a Baker residing in Bath-road, Cheltenham?—Yes.

4038. Do you know Mr. Schreiber and Mr. Powell?—Yes.

4039. Have you seen them together?—Yes.

4040. At the time of the election?—Yes.

4041. Where did you see them?—Somewhere in the Bath-road, I believe.

4042. What were they doing?—Walking up the road, and a fly or a cab going up empty, as near as I can recollect.

4043. What were they doing with reference to the cab?—The cab was going along, it was their cab; I suppose it was their cab.

4044. They were walking together, you say?—Yes.

4045. Did you see them call anywhere?—I cannot say I did.

4046. Did you see them stop at anybody's house?—I cannot say I did.

4047. How long did you see them in company together?—Well, I only just see them. *H. Isher.*

4048. You saw them walking together?—Yes, walking together.

4049. Where were they walking?—In the Bath-road, I believe it to be, nearly opposite my house.

4050. Just tell me, yes or no; did you see them call or stop at any house?—I cannot recollect seeing them go into any house.

4051. I did not ask you about going into any house; you say you saw them walking up Bath-road; did you see them stop at any house?—No, sir, I was going in to dinner at the time I saw them going along; I believe it was opposite my house.

4052. Have you given any statement on this subject before; have you been examined about this matter before?—Yes, to Mr. Cheshire.

 4053. One

H. Isher.
2 May 1866.

4053. One of Colonel Berkeley's agents in Cheltenham?—Yes.

4054. Now, recollecting that you have, just tell me, aye or no, did you see them walking together, going from house to house?—No, I did not.

4055. You never saw them?—No.

4056. What did you see them do?—I saw them in the Bath-road, nearly opposite my house.

4057. Did you see them speak to anybody?—I saw them walking together side by side.

4058. Did you see them speaking to anybody?—No, no more than there was a party.

4059. Was there anybody else with them?—I believe there were three or four gentlemen with them.

4060. Who were they?—I don't know.

4061. But I must beg you to recollect, Mr. Isher; who were they?—I don't know. Mr. Mallary was about the neighbourhood every day, but I don't recollect whether he was with them or not.

4062. Who else was there?—I cannot say.

4063. What were the other people doing; you say Powell and Mr. Schreiber were walking side by side?—I was just going in to dinner at the time, and I happened to see them; they were going up the road.

4064. When Mr. Schreiber and Mr. Powell were walking side by side, what were the other persons doing?—They were all on the move, going up Bath-road. I did not stand to watch them; they were going along.

4065. Did you see them stop at any house?—No.

4066. Not stop?—No.

4067. Did you see them speak to anybody?—No.

4068. None of them?—No.

Cross-examined by Mr. *Price.*

4069. You voted for Colonel Berkeley?—I did.

4070. I want to know which of the Mallary's it was?—Mallary, senior.

4071. What day?—It was some few days before the election.

[The Witness withdrew.

EDWIN WEBB was called in; and, having been sworn, was Examined by Mr. *Powell,* as follows:

E. Webb.
2 May 1866.

4072. ARE you a Butcher residing in Bath-road, Cheltenham?—Yes.

4073. I believe you voted for Colonel Berkeley at the last election?—I did.

4074. Do you know Mr. Schreiber by sight?—Very well.

4075. And also George Powell?—Very well indeed.

4076. Did you see them together at any time?—I did.

4077. Where did you see them?—In Bath-road.

4078. Is there a street there called Great Norwood-street?—There is.

4079. Did you see them there?—Yes, on the nomination afternoon.

4080. What were they doing?—They were going from house to house. I will tell you the remarks that were made, if you like.

4081. Made by whom?—Made by me and other parties.

4082. I must not ask you that, but I may get this, that you saw them going from house to house, and you and others made some remarks upon it?—We did.

4083. Do you know Bunsden's house?—Very well.

4084. Is it the "Fountain"?—It is.

4085. Did you see them go in there?—I see them go to Bunsden's house, past Mr. Gwinnett's house.

4086. Do you also know Peter Minnings?—Yes.

4087. Did you see them go in there?—They went across to the house.

4088. Is Minnings a voter?—He is.

4089. Do you know a man named James?—Yes.

4090. Did you see them go there?—They walked across into that street.

4091. Do you know Bendle?—Of Maryville Cottage.

4092. Did they go there?—Yes.

4093. Up the Bath-road?—Up the Bath-road.

4094. Was there anybody with them?—There were several gentlemen.

4095. Can you tell me who any of those gentlemen were?—I think they represented one to be Mr. Gardiner.

4096. Who represented that?—Some of them that were standing by.

4097. Do you know any of the gentlemen who were with Mr. Schreiber besides Powell?—No.

Cross-examined by Mr. *Price.*

4098. When did they fish you up?—Fish me up?

4099. Well, got you up to give evidence?—When I was looked up.

4100. When did you come up to London?—Come up here?

4101. Yes?—Monday evening.

4102. When did they take your evidence, this morning?—I think three months ago.

4103. Where?—Where, sir?

4104. Do not repeat all my questions?—At Mr. Cheshire's office.

4105. Was it read over to you this morning?—No.

4106. What has been taken down in pencil?—Nothing at all.

4107. Was there not somebody writing down in pencil?—Yes, a great many in the lobby.

4108. With you?—No; I swear they were not.

4109. How many altogether; was there a party, 20 or 30?—No, five or six.

Re-examined by Mr. *Powell.*

4110. You say you saw a good many of them writing down in pencil in the lobby. Who did you see?—Why, Mr. Davis I saw writing there.

4111. Who else?—Mr. What's-his-name, the loan-office gentleman.

4112. Mr. Byrne?—Mr. Byrne.

4113. By the *Committee.*] You have seen all these people outside?—Yes.

[The Witness withdrew.

JOSEPH

JOSEPH PIKE was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:

J. Pike
2 May 1866.

4114. ARE you a Broker living in High-street, Cheltenham?—Yes.

4115. Do you know George Powell?—I do.

4116. Do you know Mr. Schreiber's committee-room, at Stephen Broom's?—The North Ward.

4117. Did you see Powell on the morning of the election?—I did.

4118. Where was he?—He was walking backwards and forwards at the top of St. George's-street.

4119. What time?—About seven or eight o'clock.

4120. Was that before the committee-rooms were opened, or afterwards?—Before they were opened.

4121. Where did you see him go afterwards?—I see him go to a man of the name of Welsh, a shoemaker, in High-street.

4122. Is Welsh a voter?—He is.

4123. Did you speak to him?—I did.

4124. Do you know Mr. Byrne?—I do.

4125. Did you ever see Powell and Byrne together on the election day?—Yes.

4126. Where did you see them?—I see them coming down the High-street.

4127. Did you follow them?—I followed them.

4128. Where did they go?—Down Devonshire-street, round New-street, up Burton-street, into the High-street again.

4129. Did you see any of them go into any voter's house?—Into the house of a voter named Gibbons.

4130. Did you speak to Gibbons?—I did not speak to him; I think it was a female who answered me.

4131. Did you see the men you have mentioned, Powell and Byrne, when you came out?—I did. Powell joined the two; Evans joined them at the bottom of Burton-street.

4132. After they had joined, as you say, where did they go?—They went up High-street.

4133. Where did they go at last?—Into the St. George's-street committee-room.

4134. Mr. Schreiber's committee-room?—Mr. Schreiber's committee-room.

4135. After they had gone into the committee-room, did you see any more of either of them?—Yes, Powell came out.

4136. Who was with him, anybody?—Byrne.

4137. What became of him then?—Byrne and Powell got into a fly, to go away.

4138. Had that fly any placard on it?—It was a kind of phaeton, the back turned over; it was not a regular fly.

4139. You did not see whether it had a placard on it?—No, I did not notice.

4140. Do you recollect the day when the petition against Mr. Schreiber was presented?—I do.

4141. Did you see Byrne that day?—I did.

4142. Where did you see him?—I saw him at Palmer's.

4143. Had you seen Mr. Palmer about the town before that?—He lives right opposite me in High-street.

4144. Had you seen him as usual about the town up to that time?—I have seen him these five or six years.

4145. Did you see anything of him after that night?—No.

4146. You live just opposite, you say?—I live just opposite.

Cross-examined by Mr. *Price*.

4147. What are you?—A pawnbroker.

4148. By the *Committee*.] What is Palmer's occupation?—He keeps a cider-house; he sells cider.

4149. Mr. *Price*.] You are a pawnbroker?—I am.

4150. And a voter?—I voted for Colonel Berkeley.

4151. Had you nothing to do but to go following about, looking where Powell went that day?—I attended to my business at the same time. I could not help having my eyes open.

4152. How were you attending to your occupation when you were following him up four or five streets?—I left my occupation.

4153. You made it your business to spy after him?—Yes; it was very suspicious that time in the morning.

4154. So you left your business to spy into it; are you perfectly certain you saw him go into Gibbons'?—I am perfectly certain.

4155. Do you know Mrs. Gibbons?—It was not the old woman.

4156. Was it a daughter who opened the door for you?—Yes.

4157. You are quite certain Powell and Byrne went in?—No; Powell went in, Byrne was with him coming up the street; he left Byrne.

4158. Did Powell go in?—He stood on the steps; I don't think he went right into the house, the door was not closed; he stood on the steps.

4159. He did not go in?—He might have gone inside the house, but the door was not closed.

4160. Then he did go in?—He did go in.

4161. By himself?—By himself.

4162. That you are quite certain of?—That I am quite certain of.

4163. How long did he stay there?—Not a minute; he was not there long.

4164. You are sure of that?—I am sure of that.

4165. Eh?—Yes.

4166. Not a minute?—About a minute.

4167. That was the day of the polling?—That was the day of the polling.

Re-examined by Mr. *Fitzjames Stephen*.

4168. You talked about the young lady and the old lady at Gibbons'; just tell us what the family is, for I do not know?—I have known the girl these 20 years; that is, I have known her ever since she was quite small.

4169. Do you mean by the old lady, Mrs. Gibbons, the wife of Gibbons?—Yes, that is the old lady; she has four or five daughters.

[The Witness withdrew.

ROBERT NUTT, was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:

R. Nutt.
2 May 1866.

4170. ARE you a Tailor, residing in Gloucester-place, Cheltenham?—I am.

4171. Did you vote at the last election?—I did.

4172. Did you canvass the North Ward for Colonel Berkeley?—I did.

4173. Did you see Mr. Schreiber in the North Ward?—Yes.

4174. What was he doing then?—Canvassing.

4175. Who was with him?—Several parties.

4176 Just give their names?—I could not mention all their names.

4177. As far as you can recollect?—(*No answer*).

4178. By the *Committee.*] George Powell?—I don't recollect George Powell.

4179. Mr. *Fitzjames Stephen.*] Do you know a man called John Laurence?—John Laurence was with him.

4180. Do you know Frederick Stroud?—Yes, I was with him. I cannot name any others.

Mr. *Price* stated that he would admit Mr. Stroud.

4181. Mr. *Fitzjames Stephen.*] Do you know Mr. Byrne?—Mr. Byrne was not with him the day I saw him.

4182. Have you seen Byrne at any time with Mr. Stroud, or Mr. Schreiber?—I have with Mr. Stroud.

4183. What were they doing when you saw Byrne and Stroud together?—Canvassing down High-street.

4184. Have you ever seen Mr. Schreiber with Byrne?—I did not.

4185. Have you met them more than once together?—Byrne and Stroud two or three times, in the North Ward, almost on consecutive days.

4186. Do you know Powell?—Yes.

4187. Have you ever seen him with any of the persons you have mentioned?—With Byrne.

4188. When did you see Powell and Byrne together?—Powell was down in Biddle's place; down in the cellar.

4189. When you saw Powell in the cellar, where was Biddle?—Up at the top, and Mr. Byrne too.

4190. Where was Byrne?—Byrne was on the landing.

4191. Did you hear what passed between them?—No, because I told him that little game would not do.

Cross-examined by Mr. *Price.*

4192. Do I understand you to say that Biddle was at the top of the stairs?—Yes, he was.

4193. You are certain?—Yes, when I went in.

4194. When you went in?—Yes.

4195. He was not down the steps; half way down?—He was not, not when I went in.

4196. Who were you there with?—I was with Defour and Hobbs.

4197. Had you the charge of the Birmingham roughs who were brought over to Cheltenham?—I had not.

4198. Were there some brought over?—I don't know.

4199. Strangers?—I did see some I had not seen before.

4200. Who came over from Birmingham at the time of the election?—Almost similar to what you see at the races.

4201. The same sort of fellows that go to the races?—Three-card gentlemen.

4202. They were brought over?—I cannot say.

4203. Were they at Biddle's?—Yes, they were in the fly.

4204. Were you in the fly with them?—Not a bit.

4205. What?—There were four in the fly.

4206. Were you down there?—I was not.

4207. Did you go down in the fly with them?—I did not.

4208. Did you go down in a fly just after they went?—I went down after them; I went down Stanhope-street.

4209. Did you say to Byrne, "I am going down to follow you"?—I did not. I handed Byrne into the fly, and Powell too.

4210. Did you tell them that you were going to follow them?—I did not.

4211. What took you down to Biddle's; you did follow them?—I did not.

4212. You got down almost as soon as they did?—Well, as I was on one side of High-street, and they were in Stanhope-street, I ran from the top of High-street.

4213. As hard as you could, to get after them?—Of course I did.

4214. To follow to see what they were going to do?—To stop them bribing, if I could.

4215. Mr. *Powell.*] With regard to these Birmingham roughs, do you know that Colonel Berkeley was obliged to apply to a magistrate to protect him against them?—

The *Chairman* stated that Mr. Powell need not go into that, because the Committee did not attend to that.

[The Witness withdrew.

CHARLES HOBBS was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:—

C. Hobbs.

4216. ARE you a Hardwareman living in High-street, Cheltenham?—Yes.

4217. Are you acquainted with George Powell?—Yes.

4218. Do you remember the Sunday before the election?—Yes.

4219. Were you in company with George Powell on that occasion?—Yes; I was in his house.

4220. You had some conversation with him?—Yes.

4221. What did he tell you?—He said he had been travelling all that night, and was very tired.

4222. Where from?—Scotland; he did not say what particular place.

4223. Did he say anything to you about voting?—He asked me how the election was going on.

4224. Did

4224. Did you see him on Monday morning; the next day?—I saw him talking to Mr. Stroud in the street on the Monday morning.

4225. What time?—About ten o'clock, I think it was.

4226. Did you see him speaking to Mr. Stroud more than once?—Only once on that day.

4227. Afterwards?—I saw him talking to him on the day of the election.

4228. During the election?—Yes.

4229. Where?—I think it was in Winchcomb-street. I am not quite sure whether it was in Winchcomb-street or not; I think so.

4230. Did you see him more than once, or only once on the election day, talking to Mr. Stroud?—Not more than once, I think, for I was busy.

4231. Had you seen him at any other time before or during the election talking to Mr. Stroud?—No.

4232. Or afterwards?—No.

4233. Do you know a man of the name of Barnfield?—I do.

4234. Have you ever seen Powell and Barnfield together?—Yes.

4235. When was that?—That was on the Tuesday evening.

4236. Where have you seen him?—In St. George's-street.

4237. Were they walking and you driving?—He drove down in a fly to the committee-room there.

4238. Where did he go to?—He went into the house.

4239. What committee-room?—George-street.

4240. Did you follow them into the house?—Yes, I did.

4241. Did you speak to them?—Yes.

4242. When you spoke to them what did Barnfield say or do?—I did not speak to Barnfield about it.

4243. Did you see Barnfield do anything?—No; Barnfield stopped outside just before I went; I found Mr. Powell in.

4244. When Powell came in, you told us you spoke to him; after you spoke to him, what did Powell do?—Barnfield sent the fly round; we walked round; I said I should follow him.

4245. Did you follow him?—We sent for a fly; we could not get one quick enough, they drove off.

4246. Who?—Mr. Barnfield and Powell drove off together; we got a fly, and followed them.

4247. Did they drive fast or slow?—They drove slow.

4248. What time was this?—Between seven and eight.

4249. Morning or evening?—Evening.

4250. Do you know Biddle's beer-shop in Stanhope-street?—Yes.

4251. Did you go down at any time on the day of the polling to Biddle's shop?—Yes.

4252. Who did you see there?—Mr. Byrne and Mr. Powell.

4253. Did you make some remarks to them?—I did; I heard that George Powell was bribing.

4254. What did you do when they came out from Biddle's?—I followed him.

4255. What did he do?—He went and got into a fly and drove away; I went with my fly and followed them.

4256. When you say you followed them, who was with Powell?—Mr. Byrne.

4257. You say you followed them in your fly; did you come up to them in your fly?—Yes.

4258. Where did you come up to them?—Nearly opposite our own committee-room, at the top of St. George's-street.

4259. When you were there, what happened?—George jumped out of the fly; I said, "There is the briber." He jumped out of the fly, and ran away.

4260. Did you go on and follow him?—Yes, as fast as we could.

4261. I believe you lost him?—He ran down into Gardner's brewery.

4262. Have you ever seen Mr. Schreiber and Mr. Byrne together?—Yes, I have.

4263. Where have you seen them?—I have seen them turn down the street.

4264. When was that?—The week before.

4265. Before the election?—Yes.

4266. Have you seen them more than once, or only once together in that way?—Who?

4267. Mr. Schreiber and Mr. Byrne?—I know I see him as he passed down by the shop.

4268. Have you seen them once, or several times?—I cannot tell you.

Cross-examined by Mr. *Price.*

4269. There were several other persons with him, I daresay?—Yes.

4270. I daresay Colonel Berkeley went about with a great number of people canvassing?—I daresay.

4271. It is always the habit for people in Cheltenham to go about with a great number of people?—Yes.

4272. Others join them as they go on, and the crowd keeps on increasing; some go away and others join?—There are generally four or five with the Member.

4273. And, of course, a great number of others came up as well?—Yes; I did not notice them.

4274. You voted for Colonel Berkeley?—I did.

4275. Just give me the exact time when you saw Mr. Stroud?—It was on Monday morning.

4276. You said just now you saw him during the day of the election at Winchcomb-street; is that true or not?—I am speaking of the first time I saw him.

4277. Give me the time of the day that you saw him in Winchcomb-street on the day of the election, the polling-day?—(*The Witness paused.*)

4278. Did you see him or not?—On the polling-day?

4279. You said the day of the election; what do you mean by the day of the election?—The day of the nomination.

4280. You said, "I saw him the day of the election"; what did you mean by that?—I meant the day of nomination.

4281. What time of the day?—In the morning.

4282. What time?—I cannot say exactly.

4283. Yes, you can; you have carried this in your memory; you have a wonderful memory to remember all this since the last election?—I cannot say the time; some time in the morning.

4284. What time?—Some time between ten and dinner time.

4285. When is dinner time?—I think it was near Alder's Porter Stores.

4286. When is dinner time?—One o'clock is my dinner time.

4287. You think it was near Alder's?—Yes.

4288. Have you any clear recollection about it?—Yes.

4289. A very clear recollection?—Yes.

4290. Can

C. Hobbs.
2 May 1866.

4290. Can you give me the name of anybody else you saw that day?—I saw plenty of people that day.

4291. What makes you particularly remember seeing Mr. Stroud on that day?—Because I was acquainted with Powell.

4292. Was he alone?—I should be sure to notice him.

4293. Was he alone?—He was with Powell.

4294. On the day of the nomination?—Precisely.

4295. You swear Mr. Stroud was with Powell that day when you saw him in Winchcomb-street?—(*The witness paused.*)

4296. Do you mean to swear that?—(*The witness still paused.*)

4297. Do you mean to swear that?—(*The witness continued to pause.*)

4298. Do you hear me; do you mean to swear that you saw Mr. Stroud upon that day in Winchcomb-street; on the nomination day?—Well, I have got the two days confused.

Re-examined by Mr. *Powell.*

4299. First of all, are you quite sure you have seen them together?—Oh, yes!

4300. Altogether, how many days have you seen them together?—Well, I couldn't say how many times.

4301. About how many times?—I am positive of seeing them together on Monday morning.

4302. When was it that you saw them together on Monday morning?—Opposite the Colonnade; I am not sure as to the day, but I did see them opposite the colonnade I know.

4303. When was the first time, to the best of your recollection, that you saw Powell and Mr. Stroud together?—On Monday morning.

4304. Where was that?—Opposite the Colonnade.

4305. What were they doing there?—They were in close conversation.

4306. Did you see them again that day?—No, I did not.

4307. When was the next time you saw them?—I am not quite certain whether I saw them the next time in Winchcomb-street or not.

4308. Did you see them in Winchcomb-street, or not, afterwards?—I am not quite certain about that.

4309. Did you see them afterwards together?—No, I did not. I have got the days confused; only once.

4310. Is this the occasion when you saw them opposite the Colonnade?—Yes.

4311. Have you any doubt whatever about that, of seeing them together?—Oh, dear, no! not the slightest.

[The Witness withdrew.

HENRY CLARKE was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:

H. Clarke.

4312. ARE you a Publican; "Full Moon," High-street, Cheltenham?—Yes.

4313. Did you vote for Colonel Berkeley at the last election?—Yes.

4314. Do you know George Powell?—Perfectly well.

4315. On the evening of the nomination day did you see him?—I did.

4316. Where did you see him?—In St. George's-street. He came out of the committee-room.

4317. Whose committee-room?—Mr. Schreiber's committee-room; the North Ward.

4318. Was anybody with him?—Mr. Barnfield.

4319. You heard some conversation between Barnfield and Powell?—I did.

4320. On the morning of the election did you go to Welch?—I did.

4321. After waiting there some time, did you after that see Powell anywhere?—I saw him coming down the High-street.

4322. Who with?—Mr. Byrne.

4323. Where did they go?—Up Devonshire-street, down New-street, down Burton-street, to Gibbons's.

4324. Where were you during that time?—I followed them as close as I could; I kept behind them.

4325. Did you see what became of them?—Powell went inside.

4326. Where to?—Into Gibbons's.

4327. Did you see who he spoke to?—I did not; I wasn't time enough; he came out directly I came up to the door.

4328. What became of him after they got out?—I went inside to Gibbons's.

4329. Did you see what became of Powell and Byrne when they left Gibbons's?—They went up the High-street to the committee-room again.

4330. How did they go?—They walked.

4331. Did you see them come out of the committee-room?—I saw them afterwards come out of the committee-room.

4332. Where did they go then?—I did not follow them then; I missed them.

4333. Did you see what became of them after they came out of the committee-room?—They went along the street somewhere.

4334. Did they walk, or drive, or what?—I cannot say; I missed them just at that moment.

4335. Do you know a man of the name of Palmer?—I do.

4336. Have you searched and made inquiries for him?—I have.

4337. Have you tried to serve him with a Speaker's Warrant?—I have, Joseph Palmer and Robert Welch.

4338. And Church?—No, not Church.

4339. Have you been able to find them?—I have not.

Cross-examined by Mr. *Price.*

4340. Who went into Gibbons's do you say?—Mr. Powell.

4341. Was anybody standing there besides you?—I was not gone down to the door, not till Powell was in the house.

4342. Then you went in after him?—I went in after him.

4343. Did Powell go into the house?—He did go into the house.

4344. You are quite sure about that?—I will swear it.

4345. Where was Byrne?—I saw Byrne in the doorway.

4346. Byrne stood in the doorway?—Byrne stood in the doorway.

4347. That

4347. That you will swear?—I will swear it.
4348. He did not stand out in the street?—No, he did not; he stood in the doorway.
4349. Whilst Powell went inside?—Whilst Powell went inside.
4350. Did you go into Mrs. Gibbons's?—I did.
4351. You saw her?—I saw the daughter.
4352. Where was Mrs. Gibbons?—Mrs. Gibbons was not in the kitchen when I went in.
4353. Was she in the house?—I cannot say.
4354. Was it the daughter who has been here?—I cannot swear which daughter it was, they are so much alike; it was her daughter.

H. Clarke.
2 May 1866.

4355. Which committee-room in High-street was it?—The committee-room in St. George's-street; they walked from the High-street committee-room.
5356. By that you mean the committee-room in St. George's-street?—Yes.
4357. Did you see them go in there?—I did.
4358. You made it your business to follow them?—I did.

[The Witness withdrew.

EDWARD OWEN was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

E. Owen.

4359. ARE you a Fly Proprietor, living in Cheltenham?—Yes.
4360. Do you remember, on Monday previously to the election, driving anybody about?—Yes.
4361. Who were they?—Powell and Barnfield.
4362. How long did you drive them about?—About three hours.
4363. Where did you go to?—To Mr. Foyle, a wood dealer, and from there to opposite the "Calcutta."
4364. Did they get out there?—Yes.
4365. Both of them?—Yes, they got out at both places.
4366. How long did they stay out?—About an hour and a-half.
4367. You mean in the houses, or in one house?—In one house.
4368. Whose house was that?—Mary Vitle Cottage.
4369. Do you know who lives there?—No, I don't.
4370. Is that opposite the "Calcutta"?—Yes.
4371. Where did you go to then?—Burton-street.
4372. From there did you go anywhere else?—To Mr. Wilkes, the iron merchant's.
4373. In the High-street?—Yes.
4374. Where did you go to from there?—I went to the "Royal Oak" to get something to drink.
4375. Did you go from there to Pillfield-street?—Yes.
4376. What happened in Pillfield-street?—I stopped at the bottom until Powell came out.
4377. Did Powell come out then?—Yes.
4378. You stopped till he came back?—Yes.
4379. When he came back what became of him?—I took him up into Winchcomb-street, by the Highbury Chapel.
4380. Then you were dismissed for that day?—Yes.
4381. Do you remember, on the day of the election, driving him anywhere?—I was driving for Mr. Schreiber all day.
4382. Do you mean the day of the polling, or the day of the nomination?—The day of the polling.
4383. What did you do on that day?—I drove about for every one.
4384. Who did you drive, did you drive Powell on that day?—Not as I know on.
4385. Was there a committee-room in Carlton-street?—Yes.
4386. Did you drive anybody from there?—Yes, I drove several parties from there.
4387 Do you know Ilvins, a tailor, in High-street?—You mean McIlvins.
4388. When was that?—There was seven of them in number.
4389. Tell me who some of them were?—I think Powell was there, but I won't swear to it.
4390. You think he was there?—I think he was.
4391. Tell me who else?—Bedwall, and two or three other gentlemen.
4392. Tell me their names as well as you recollect?—Mr. Sweeting.
4393. Who else?—A man of the name of Hale; I don't know the others.
4394. You have recollected several, try and recollect who else?—I did not take particular notice of them.
4395. Where did you start from?—From the Carlton committee-room.
4396. How long did you stay at McIlvins?—About five minutes.
4397. What became of you then?—I went back to the Carlton committee-room.
4398. You went with the same party?—Yes.
4399. Where did you drive them to then?—I took the same party down to Albion-street.
4400. In going to this last place, you said that Powell was one of them?—I could not swear it; I think he was.
4401. Where did you go to from there; did you go to Hale's-road?—No, I stopped at Albion-street.
4402. Is that near Hale's-road?—No, it is a long way off.
4403. What became of the party then?—They all got out.
4404. How long did you wait for them there?—I did not see anything more of them.
4405. Did you drive anybody to King's, in Hale's-road?—Yes.
4406. Did you drive anybody there?—I drove a man of the name of Hale there; then I went from there to Morgan's, near the cemetery.
4407. Did you drive anybody there?—No one but Hale.
4408. You are sure of that?—Mr. Sollis.
4409. Anybody else?—No.
4410. Did you know whether Powell was there?—Mr. Sollis I meant, all along, instead of Mr. Hale. Hale was the wrong name.
4411. Did you drive Powell anywhere else that day?—No.
4412. How many times do you think you drove to and from this committee-room in Carlton-street that day?—Nearly 20 times, I should think.

The *Chairman* stated, that the Committee had sufficient evidence to prove that these people were going about to voters and speaking together, but what the effect of that might be was another thing.

E. Owen.
2 May 1866.

4413. By the *Committee.*] Who paid you for driving about Powell and all these persons?—Mr. Powell I booked the fly to in the first instance, and Mr. Schreiber in the second. I drove for Mr. Schreiber.

4414. Who paid you?—Mr. Schreiber.

4415. Who paid you for driving Powell and those?—Mr. Powell himself.

4416. Mr. Powell paid you?—I booked it to Powell.

4417. Mr. *Powell.*] Have you been paid?—No, I am only the driver.

4418. Mr. *Price.*] On the next occasion you booked it to Mr. Schreiber?—Yes.

4419. On the polling day you booked it to Mr. Schreiber?—Yes.

[The Witness withdrew.

Mr. *Powell* stated, that after the intimation of the Committee, although he had several other witnesses on the same point, he would only call one more.

STEPHEN COOK, was called in; and, having been sworn, was Examined by Mr. *Powell,* as follows:

S. Cook.

4420. YOU are the Landlord of the "Railway Tavern," in Hamburgh-street, Cheltenham?—I am.

4421. Do you remember the 12th of July, the morning of the election?—I do.

4422. Do you know Mr. Schreiber?—I do.

4423. Did you see him on that morning with anybody?—I did.

4424. With whom?—I saw him in the afternoon with a man of the name of Powell and Jones of the Albion Brewery, and I saw them in the fly together.

4425. Did you see him with anyone else?—No, I did not; I saw him get out of the fly and go into the committee-room. I followed him out of Burton-street into the "Royal"; they had the committee every day; from there into the Bath-road, into the committee-room there; from there into the committee-room in Montpelier-street, and back again to the "Royal."

Mr. *Powell* stated that there was some mistake as to the name.

Cross-examined by Mr. *Price.*

4426. My friend put it upon the morning?—

Mr. *Powell*: That is a mistake of mine.

4427. Mr. *Price.*] What time was it you saw Mr. Schreiber and Powell together?—From half-past 2 to a quarter to 4.

4428. On the polling day?—Yes.

4429. The whole time?—Yes.

4430. From half-past two to a quarter to four?—Yes.

4431. You followed them about?—Yes.

4432. You are perfectly certain of that?—Yes.

4433. What Powell is that?—Not Powell, Palmer I should say.

4434. Mr. *Powell.*] You recollect now it was Palmer, and not Powell?—Yes.

4435. Mr. *Price.*] Then it was Palmer you met with Mr. Schreiber?—Yes.

4436. They were together from half-past two to a quarter to four?—Yes; I followed them out of Burton-street to the committee-room at the "Royal."

4437. What made you say Powell?—I made a mistake in the name.

4438. They are very different names, Powell and Palmer?—Well, they are, but still I did make a mistake in the name; I meant Palmer all the time.

4439. Then when my friend put to you Powell, it is not because you said Powell to him, or rather those who asked you about your evidence?—I meant Palmer all the time.

4440. When were you asked about your evidence?—I was taken to Mr. Gaisford this morning.

4441. Did you tell him Powell, or Palmer?—Palmer.

4442. If he has put it down Powell it is wrong?—Yes.

Mr. *Powell.*] It is not put down as Powell.

4443. Mr. *Price.*] Were they walking or driving?—Driving.

4444. In a fly?—In a fly.

4445. What were you doing?—In the fly.

4446. You were in the fly?—Yes.

[The Witness withdrew.

Mr. *Powell* proposed to call another witness who saw Powell and Mr. Schreiber together.

The *Chairman* stated that they were of opinion that that was unnecessary.

Mr. *Powell* stated that he would now call witnesses to prove treating.

Mrs. AMELIA GODDARD, was called in; and, having been sworn, was Examined by Mr. *Powell,* as follows:

Mrs. *A. Goddard.*

4447. WERE you, at the time of the last election at Cheltenham, Book-keeper and Manager of the "Royal Hotel," High-street?—I was.

4448. I believe Mr. Nicholls kept that hotel at that time?—Yes.

4449. Were those the head quarters of Mr. Schreiber and his friends during the election?—I don't know whether they were the head quarters or not.

4450. They were frequently there?—Yes.

4451. Did Mr. Schreiber address the public from the balcony of that hotel?—Yes.

4452. You say you were book-keeper on the nomination day and the polling day; were there persons in the hotel eating and drinking; a number of persons, more than ordinarily?—Yes.

Mr. *Powell* asked the counsel for the sitting Member to produce the books, in pursuance of the notice which the petitioners had served upon them.

Mr.

Mr. *Price* stated that Mr. Nicholls was the Witness.

4453. Mr. *Powell.*] Have you seen Mr. Nicholls this morning?—Yes.

4454. Where did you see him, may I ask?—At Webb's Hotel. Mrs. *A. Goddard.*

4455. What time did you see him there?—At 12 o'clock this morning. 2 May 1866.

Mr. GEORGE NICHOLLS, called.—(*Mr. Nicholls did not answer*). Mr. *G. Nicholls.*

Mrs. AMELIA GODDARD, recalled; further Examined by Mr. *Powell.*

4456, DID these persons you spoke of pay for what they had?—Yes. Mrs. *A. Goddard.*

4457. Did they pay?—Yes.

4458. All of them?—Yes.

4459. I beg your pardon, I think you could not have understood me; I thought you said you were book-keeper there?—Yes.

4460. Did you book anything that day?—No.

4461. May I ask you if you were examined before you came to London?—No.

4462. Not at all?—No.

4463. When did you last see the books that were in use during the election?—In March.

4464. In March last?—Yes.

4465. Where did you see them?—At the "Royal Hotel."

4466. Do you know whether they are in London?—No, I do not.

4467. Do you remember the night of the nomination?—Yes, I remember it.

4468. Were there persons in the up stairs room the whole night then; I don't mean in the bedrooms?—I could not say whether they were there all night,

4469. Were there persons there on the night of the nomination?—There were some, I believe.

4470. Were they there all night?—I could not say.

4471. Were the same persons who were there that night at breakfast in the morning?—I could not say.

4472. Any of them?—I could not say.

4473. By the *Committee.*] Did you go to bed that night, or were you up all night?—I went to bed that night.

4474. Did you leave people there when you went to bed?—I don't know whether they were in the room or not. I did not go into that room.

4475. Mr. *Powell.*] You were manager, as well as book-keeper?—Yes.

4476. Now, tell the Committee if you please whether there were persons when you went to bed that night in the up stairs room?—(*The witness did not answer.*)

4477. By the *Committee.*] Was the house closed when you went to bed; were persons turned out, or did you leave people sitting up in the house?—I could not say whether there were people upstairs or not.

4478. Mr. *Powell.*] You were the manager, and I am sure did your duty as manager; could you not tell the Committee, being manager that day, whether there were persons upstairs when you went to bed?—I did not know whether there were people upstairs or not.

4479. What is your belief?—I don't know whether there was anyone in the house or not.

4480. What is your belief?—(*The Witness paused for some time.*)

4481. Forgive me for reminding you that you are before a judicial tribunal, and have been sworn; what is your belief?—(*The Witness still paused for some time.*)

4482. Do you know, one way or the other, or do you recollect whether there were people or not in the sitting rooms of the hotel when you went to bed?—There were, I believe.

4483. You have been a long time telling us that simple fact, Mrs. Goddard; did you see any of those persons next morning?—I did not.

4484. None at all?—No.

4485. Did you breakfast there the next morning?—There were some breakfasts the next morning.

4486. Were those breakfasts booked to anybody?—They were.

4487. Were there dinners had also?—There were.

4488. Were they booked to anybody?—Yes.

4489. Was the bill made out after the election?—Yes, several.

4490. Who were they sent to?—(*The Witness made a long pause.*)

4491. By the *Committee.*] Did you make out the bills?—I made out some of them.

4492. Did you send them to the people under cover, or what did you do with them?—Yes.

4493. You sent them under cover?—Yes.

4494. To whom did you send them?—(*The Witness again paused for some time.*)

4495. You had better tell us, Mrs. Goddard, it will save your time; did you send them to Gevinnett and Ticehurst?—No, I did not.

4496. Who did you send them to?—There were different bills.

4497. Give me the names?—Hutchinson was one.

4498. Who is Hutchinson?—He lives in the Bath-road.

4499. What is he?—I think an innkeeper.

4500. Had he been one of the party?—I don't know.

4501. How came you to follow them to Hutchinson's, the innkeeper, if he had not been one of the party?—(*The Witness paused.*)

4502. By whose directions did you follow them?—There were the names in the book.

4503. Who entered the names in the book?—I did.

4504. Who told you to do so?—Mr. Nicholls.

4505. Who is Mr. Nicholls?—The proprietor.

4506. Now, I ask you, besides Hutchinson, to whom were those bills sent; you said to several?—Tyler, I think, was one.

4507. Who is he?—I really do not know the man.

4508. No, pardon me; have you no idea in the world who he is?—(*The Witness again paused.*)

4509. Who is Tyler?—I do not know.

4510. Have you never heard?—No, I have not heard.

4511. Have you never heard?—He came and paid his bill.

4512. Where does he live?—In Cheltenham, I believe.

4513. Whereabouts?

Mrs. *A. Goddard.*

2 May 1866.

4513. Whereabouts?—I could not tell you.

4514. What is he?—I do not know.

4515. What sort of a man, young or old?—He is not an old man.

4516. When did he come and pay it?—Some little time after the election.

4517. Did Hutchinson pay his bill?—Yes.

4518. When did he pay his bill?—Some little time after the election.

4519. Tell me, if you please, who else did you send in bills to; did you send in any bill to Mr. Stroud?—Mr. Stroud?

4520. Yes?—I don't remember.

4521. Do you think you can venture to say you did not send in any bill to Mr. Stroud?—I cannot remember.

4522. Do you think you can venture to swear you did not send in a bill to Mr. Stroud?—I cannot say.

4523. You could not say that you did not?—No.

4524. Not being able to say that you did not, permit me to ask you to refresh your memory, and tell me if you did not send in a bill to Mr. Stroud?—(*The Witness paused for some time.*)

4525. Come, I am sorry to give you so much trouble?—I cannot remember.

4526. You cannot remember what?—Whether or not I sent in a bill to Mr. Stroud.

4527. Now I must ask you, do not you know that you did?—

Mr. *Cooke* objected to the question, and stated that if the book was here to assist it would be a different thing.

4528. Mr. *Powell.*] Did you send in any bill to Mr. Byrne?—I do not remembr whether I did or not.

4529. Can you not say further than that you do not remember?—No.

4530. By the *Committee.*] Do you recollect whether you sent in a bill to Byrne or not?—No, I do not remember.

4531. Mr. *Powell.*] Did you send in a bill to Mr. Baylis?—(*The Witness did not answer.*)

4532. By the *Committee.*] Do you recollect whether you sent in a bill to Baylis or not?—No, I did not.

4533. Mr. *Powell.*] Did you send a bill in to Mr. Gwinnett?—(*The Witness paused.*)

4534. You know Mr. Gwinnett perfectly well?—Yes, I do.

4535. Did you send a bill in to Mr. Gwinnett?—No, I did not.

4536. Are you sure of that?—(*The Witness paused again.*)

4537. I presume you knew what business you came to London upon, Mrs. Goddard; you were served, I suppose, with a Speaker's Warrant to come here?—Yes.

4538. By the *Committee.*] Do you recollect whether you sent a bill to Mr. Gwinnett or not, or are you certain you did not; which are we to take?—No, I did not.

4539. You think you did not?—No.

4540. Mr. *Powell.*] Did you send one in to Mr. Ticehurst; it is you who are giving yourself all this pain and trouble?—No, I don't remember.

4541. Did you send one in to Gwinnett and Ticehurst?—There was one, I believe.

4542. Was there a dinner at this hotel on the day of the polling?—Yes, there was.

4543. Who ordered that dinner?—Twelve gentlemen.

4544. Be so good as to tell me who they were?—Gentlemen of the town.

4545. Tell me who ordered the dinner?—Mr. Ricketts.

4546. Who else?—I don't know all their names.

4547. I don't suppose you do; but perhaps you will mention two or three of the principal ones?—(*The Witness did not answer.*)

4548. Did Mr. Schrieber order the dinner?—No.

4549. By the *Committee.*] Do we understand you that 12 gentlemen ordered the dinner, or that 12 gentlemen dined there?—No, Mr. Ricketts ordered the dinner; 12 gentlemen dined.

4550. Mr. *Powell.*] That is so, is it, Mrs. Goddard?—Yes.

4551. Who was the bill for that dinner sent in to?—They paid their shares in the room.

4552. At the time of the dinner?—Yes, in the room.

4553. How many dined besides the 12?—(*The Witness did not answer.*)

4554. Was there another dinner besides that of the 12, a dinner at which there was a large number of persons?—No.

4555. Do I understand you that only 12 gentlemen dined on that occasion?—Yes, 12.

4556. Was there a large dinner the next day?—No, I don't remember that there was.

Cross-examined by Mr. *Cooke.*

4557. At all events, whether it was a large dinner or not, did the gentlemen who partook of it each pay his share?—They did.

4558. Mr. Hutchinson, I am told, is a private gentleman in the Bath-road?—No, I think not.

4559. You said you sent a bill to Gwinnett and Ticehurst; was there a charge made for a large room that had been used; was there a bill sent in?—There was.

4560. Had the bill you sent to Gwinnett and Ticehurst any thing to do with the people who had breakfast there that morning?—(*No answer.*)

Mr. *Powell.*] I call on my friends to produce the bill.

Mr. *Cooke.*] We have not got it.

Mr. *Powell.*] Mr. Gwinnett, I ask for the bill this lady speaks of as having been sent in to you and your partner. (*Mr. Gwinnett produced the bill.*)

4561. By the *Committee.*] Who were those persons in the room up stairs the night before the nomination, or the night after?—I do not know.

4562. You did not see them yourself?—No.

4563. Mr. *Cooke.*] Look at that bill, and tell me if that is the bill my friend has asked you about; is that your writing?—That is the bill.

4564. By the *Committee.*] Is that the bill that you sent to Gwinnett and Ticehurst?—Yes.

Mr. *Cooke.*] Give it to Mr. Powell, and make him happy.

4565. Mr. *Powell.*] Is this bill your writing, and

and when did you make it out?—It is not my writing.

4566. Whose writing is it?—Mr. Nicholls'.

4567. The signature, "A. Goddard," is there?—Yes, I receipted the bill.

4568. Did you receipt it on that day?—Yes.

4569. It bears date October 10th 1865?—Yes.

4570. This is not made out to anybody, I see; is this the only bill you sent in to Gwinnett & Ticehurst?—Yes.

4571. Whose writing is it?—I receipted the bill; it is Mr. Nicholls' handwriting.

[*The Witness handed in the bill, which is as follows*]:

"THE ROYAL, FAMILY, AND COMMERCIAL HOTEL, CHELTENHAM.

G. F. Nicholls, Proprietor.

Extensive Stock Rooms.

Broughams, Flys, &c., always ready.

	£.	s.	d.
Hire of large rooms for meetings on 10th, 15th, 16th, 24th and 26th June	5	5	–
Stationery	–	10	–
Ditto, July 5th, 8th, 11th, and 12th	4	4	–
Stationery	–	8	–
Use of hotel and premises on nomination day	5	5	–
Ditto ditto, on following day	5	5	–
	£. 20	17	–

Paid.

"10 October 1865. "*A. Goddard.*" *

(* Written across a receipt stamp.)

Mrs *A. Goddard.*

2 May 1866.

The following indorsement is on the back of the bill.

"Mr. Nicholls (Royal Hotel), hire of rooms, &c., 20*l.* 17*s.*

4572. Did you receive a cheque after these bills were sent in from anybody?—No.

4573. Did you receive a cheque from Gwinnett and Ticehurst on the County of Gloucester Bank?—For that amount?

4574. I don't ask you for any amount?—No, that was the amount.

4575. By the *Committee.*] You have not received a cheque from them for any other amount?—No.

4576. Who told you to send in those accounts to Mr. Hutchinson?—I do not know the parties; Mr. Nicholls did.

[The Witness withdrew.

WILLIAM HARRIS, was called in; and, having been sworn, was Examined by Mr. *Fallon*, as follows:

W. Harris.

4577. WHAT are you?—A Florist and Gardener.

4578. Were you a voter for the last election?—Yes.

4579. And did you vote at the last election?—Yes.

4580. And for whom did you vote?—For Mr. Schreiber.

4581. Do you recollect the night before the election day, any one coming to you?—Yes.

4582. Who was it?—I did not know particularly.

4583. Somebody came; and did you go anywhere?—Yes, I was at Captain Strut's that day; then I came to the Arcade, and two or three asked me to go and have a glass of something, and I went.

4584. Where did you go?—I went to Mrs. Staffor's, and had a glass or two of bitter ale, and I bought two or three cigars and some tobacco, and after that I think I had a glass with Parr up the passage there.

4585. What was the name of that place up the passage?—I do not know the name of the public house; I had a glass or two there; the man's name was Parr, the landlord.

4586. After that did you go anywhere?—Yes, two or three said, "Harris, I want you to go up with me to the "Royal Hotel"; Colonel Kennedy wants to see you about his garden."

4587. Did you go to the "Royal Hotel"?—Yes.

4588. Did you see Colonel Kennedy?—No, he was not in.

4589. Who did you see there?—I saw Sir Alexander Ramsay.

4590. What did he say to you?—He said, "Harris, how are you"? I said, "Very well, thank you"; and he came and shook hands with me; and he shook hands with his left hand. I said, "Sir Alexander Ramsay, please give me your right hand." He said, "Harris, I have hurt my shoulder; please excuse me; but I will give you my right hand."

4591. Did you stop there all night?—I stopped there a time, and smoked my pipe; and not having smoked a pipe once in six months, or a cigar, it made me a little sleepy.

4592. Did anybody do anything to you when you were sleepy?—No, I wanted to go home; but some of them said, "Harris, no, you shall not go home, you will be killed, there is a lot of fellows outside"; and there came in a man whose face was cut, and they said, "You shall not go at all."

4593. Did you sleep there that night?—There was a little room; and when I awoke I found myself on a mattress, not a bed, my clothes on, and my hat off.

4594. You were there all night?—Yes.

4595. Was there anybody else there all night, that you know of?—There were several people there; but who they were I did not know.

4596. Where were they?—They were about the rooms somewhere; I do not know exactly whereabouts they were; there were two or three there when I awoke.

4597. By the *Committee.*] Do you recollect anybody who was there?—There was a man of the name of Hicks, and another of the name of Townsend.

4598. Mr. *Fallon.*] What state were these men in that you saw there?—I did not see much the matter with them.

4599. Were you in the morning taken away?—Yes,

W. Harris.
2 May 1866.

Yes, they got a fly; and they said, "Harris, you must come to the poll," and they put me ——

4600. They put you into the fly?—Yes.

4601. And you voted for Mr. Schreiber?—They drove me off to vote for Mr. Schreiber, and I did.

4602. Did you pay anything for what you had?—Well, I spent about 3*s.* 9*d.*, and a glass or two of grog.

4603. I am speaking now of the "Royal Hotel"?—Yes.

4604. What did you have there?—I think it was a glass or two of whiskey and a pipe.

4605. Did you pay for all you had?—I do not know that I did.

Mr. *Price* stated that he had no question to ask in cross-examination.

[The Witness withdrew.

JAMES BOLDING, was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:

J. Bolding.

4606. WERE you Coachman to Mr. Fortescue at the time of this election?—Yes.

4607. I believe you are still in his service?—I am not.

4608. When did you leave his service?—I left I think it was last Tuesday three weeks; about that time.

4609. Do you know Mr. Schreiber?—Yes.

4610. Was he staying with your master at the time of the election?—He was.

4611. Used you to drive him about in company with Mr. Fortescue?—Yes.

4612. How long was Mr. Schreiber stopping at Mr. Fortescue's house?—I could not say exactly.

4613. Used you to drive them out about the town of Cheltenham?—Yes.

4614. You stopped at various persons' houses?—Yes, we stopped at different places.

4615. Do you know whether the people at whose houses you stopped were voters?—I could not say.

4616. What class of houses were they?—I could not say whether they were rich or poor.

4617. You could tell whether they were ten pounders or not; or whether they were the houses of private friends of Mr. Fortescue?—Perhaps they were his private friends.

4618. But were there others who were not private friends?—I dare say they were, I could not say; look here, sir, I am driving you, and I cannot tell you who my master speaks to.

4619. By the *Committee.*] You were asked what sort of houses they were; were they shops in the town or small houses, or large houses in the town?—Some small and some large.

4620. Mr. *Fitzjames Stephen.*] Were you out late at night sometimes?—Yes.

4621. On these occasions?—Yes, I was sometimes till late at night.

4622. You had charge of the stables, I suppose?—Yes, I had.

4623. Who was there at the stables on the night before the election?—No one but myself.

4624. In the outhouse?—No one but myself.

4625. Were there in any of the outbuildings; was there anybody there except yourself in any part of the house which you had to do with?—There was.

4626. Anybody besides yourself?—Yes, there was.

4627. Who were they?—Four friends of mine; and we had supper.

4628. Who were your friends that you had to supper?—There was Sadler one.

4629. Now another?—There were four of them.

4630. I want to know who they were; you say there was Sadler; who were the other three?—Another was Griffin.

4631. Who were the other two?—

4632. By the *Committee.*] Give the other names, make haste?—I will as soon as I think of them; I think one's name was Hands.

4633. Mr. *Fitzjames Stephen.*] Think of the fourth, and then you will make up the party?—George Lewis; that is the name.

4634. Where did Sadler live?—At 12 Grantham-terrace.

4635. Is he a voter?—He did vote.

4636. And he voted for Mr. Schreiber?—Yes.

4637. Is Griffin a voter?—He is.

4638. Did he vote for Mr. Shreiber?—Yes.

4639. Hands?—I do not know whether he voted or not.

4640. Is he a voter?—I believe he is.

4641. What is he by trade?—I could not exactly say.

4642. Are you in the habit of asking gentlemen to supper with you without asking who they are?—I am sometimes.

4643. Where does Hands live?—Somewhere towards the Bath-road, I believe.

4644. But you know where he lives?—No, I do not.

4645. Where did you send the invitation to supper?—I met him by accident, and my other three friends asked him to come along with us.

4646. Now, George Lewis, what is he?—A wheel chairman.

4647. Is he a voter?—Yes.

4648. What had you for supper?—Some beef and beer, and that like.

4649. And some pipes?—Yes, some pipes of tobacco.

4650. About what time did you have your supper?—About nine o'clock.

4651. Did you have some grog?—No.

4652. Where did you have your supper?—In the saddle room.

4653. At what time did you break up?—About ten.

4654. Did your friends stop there?—No.

4655. Did all of them go away?—They did.

4656. Are you in the habit of giving suppers?—Very often; there are three or four coachmen up the lane; we often have a bit of supper and lunch now and then together.

4657. You have a sort of club?—No; they are all our own friends, and we have a bit of lunch and supper now and then.

4658. Hands was an old friend?—No; I do not know much about it.

4659. If you were in the habit of having these friendly parties, how came you to ask Hands, who you

you did not know much about?—One of my friends asked him.

4660. Did Mr. Fortescue give you leave to have this party?—No, he did not.

4661. Were any of the coachmen at this party, this club?—There was no club at all.

4662. A sort of friendly meeting?—We very often have it.

4663. Were there any other members of this friendly meeting?—No.

4664. Did you pay for all this eating out of your own pocket?—Yes, I did.

4665. Who gave you the money to pay for it?—No one.

4666. What are your wages?—My wages were about 1 *l.* a week.

4667. Do you know where Mr. Fortescue is?—No, I do not know.

4668. When did you leave his service?—About three weeks last Tuesday.

4669. How long before that had you seen Mr. Fortescue?—I saw him on the day I left.

4670. Do you happen to know whether he went abroad?—I do not believe he did; I do not know, I was not curious to ask after him.

4671. Do you know whether he is in London?—I do not know, I cannot tell.

4672. Have you seen him in London?—I have not.

4673. When did you see him last?—I discharged myself; he did not discharge me.

4674. And you have not seen him since?—No, I have not.

4675. Pray had you a breakfast party on the day of the election, as well as a supper party over night?—No.

4676. Was there no one about the premises except the regular servants?—No one, not to my knowledge.

4677. Did you drive anybody to the poll?—No, I did not.

4678. You did not go out that day with the carriage?—No, the carriage was not out.

4679. Was there no person in the outhouses or offices on the morning of the election, the morning of the polling?—No, not to my knowledge.

4680. Did you go in an omnibus on the day of the polling?—No.

4681. Did you go into the Town at all?—I did.

4682. How did you go?—I walked down.

4683. Do you know that there was an omnibus left your place that morning from Mr. Fortescue's house?—I did not see it. *J. Bolding.* 2 May 1866.

4684. Do you know whether it went?—I did not see it.

4685. By the *Committee.*] Is Mr. Fortescue an old gentleman or a young one?—An old gentleman.

4686. Is he 86?—Yes.

4687. Is he a tall gentleman?—Yes.

4688. Has he anything to say as to glass works there?—Yes.

4689. How long were you with him?—Fifteen years.

Cross-examined by Mr. *Cooke.*

4690. While you were entertaining your friends in the saddle room, was there a party of yellow roughs came into the yard and asked for some beer, and did you give them some?—I did not.

4691. Old as Mr. Fortescue is, were his windows smashed on the day of the polling?—Yes.

4692. In front of the house?—Yes.

[The Witness withdrew.

Mr. *Powell* informed the Committee that the next Witness, Mr. Nicholls, whom he proposed to call, had been within the precincts of the committee room five minutes after Mrs. Goddard went out, but that he was not then present; that his clients were trifled with by men who were in the lobby wishing to be called, and the moment their names were called out in order that they might come in to give evidence, which the Speaker's warrant had commanded them to do, that moment they absconded.

The *Chairman* stated that the conduct of those persons could be reported to the House, and they could be taken into custody at once if the learned counsel had no further evidence to go on with; and if he would give the Committee a list of witnesses who were not forthcoming, they could be reported and brought up in custody to-morrow morning.

Mr. *Powell* stated that he would give the Committee the list.

Mr. George Nicholls, was called in; and Examined by Mr. *Powell*, as follows:

4693. You have been subpœnaed to produce some books?—Yes.

4694. Is that one of them?—Yes.

4695. Give it to me?—Yes. (*The Witness handed a book to the learned counsel*).

4696. By the *Committee.*] Were you served with a Speaker's warrant?—Yes.

4697. When did you receive notice to attend here?—About ten minutes ago.

4698. Not before?—Not before.

4699. How did you come to London?—By train this morning at five minutes to eight. Mr. *G. Nicholls.*

4700. Had you no notice to attend this Committee?—No.

4701. How did you come up?—I came up with the barmaid, thinking I should be wanted.

4702. Did you receive any notice to come up?—None whatever, till about ten minutes ago.

[The Witness withdrew.

Mrs. AMELIA GODDARD, was then re-called; and further Examined by Mr. *Powell*, as follows:

Mrs. *A. Goddard.*
2 May 1866.

4703. How many books had you the custody of when you had the hotel; I suppose there was a day book?—Yes.

5704. And a ledger?—There were two books.

4705. What were the two; you were the book-keeper, pray do not keep us so long?—One day book, and the other to enter the cash in.

4706. Were those the only books?—Yes.

4707. That you ever made any entries in?—Yes.

4708. That you are positive of?—Yes.

4709. Is that one of them (*handing a book to the Witness*)?—Yes.

4710. Which is this?—The day book.

Mr. *Powell* applied to the Committee that Mr. Nicholls might be called in again, and asked for the other books.

Mr. *Price* submitted to the Committee that the Witness should be sworn.

Mr. *Powell* stated he was only going to ask him for the books.

Mr. GEORGE NICHOLLS, was then re-called; and further Examined by Mr. *Powell*, as follows:

Mr. *G. Nicholls.*

4711. WHERE is the other book, Mr. Nicholls?—In my pocket.

4712. What is the other book you have got also?—My bank book.

Mr. *Price* objected to the bank book being produced.

Mr. *Powell* said he would withdraw the question.

4713. Produce that book, Mr. Nicholls?—Yes. (*The Witness handed a book to the learned counsel*).

4714. This is your ledger; I thought you said it was your bank book?—No.

4715. Have you any other books?—None, except my banking book.

4716. Produce that?—Yes. (*The Witness produced it*).

4717. You have no other books?—No.

4718. Mr. *Powell.*] You may go away for the present.

Mrs. AMELIA GODDARD, was then re-called; and further Examined by Mr. *Powell*, as follows:

Mrs. *A. Goddard.*

4719. WHAT do you call this book?—The day book.

4720. Oblige me by turning to the period of the election?—Yes.

4721. The first entry I find is June the 10th, Mr. Schreiber's committee.

Mr. *Price* objected to his friend reading the entry until he had called the person as a witness who made the entry.

4722. Mr. *Powell.*] Is that your handwriting, Mrs. Goddard?—Yes.

4723. Mr. *Price.*] Look at that "Mr. Schreiber," that is in a different handwriting?—

4724. Mr. *Powell.*] It is all in one handwriting?—Yes.

4725. By the *Committee.*] That is a book you kept at the time?—Yes.

4726. Those are the entries you made?—Yes; I did not not make some of those entries the same day.

Mr. *Powell.*] "Mr. Schreiber's committee, June the 10th, room and stationery, 15th, room, 16th, room, 24th, room, 26th, room; July the 5th, ditto, ditto, 8th, ditto, 11 suppers," &c. No sum carried out below. "June the 11th, sherry, six grogs, 10 *s.*; June the 26th, room, 11 and 13, bed, 2 *s.*; cigars, 3 *s.*; grog, 3 *s.*; bed, 2 *s.*; 11, Mr. Ergall, sandwiches," and then the word "Schreiber" is written and struck out; "brandy, 1 *s.*; ale, 3 *s.* and 1 *s.*; 12, five breakfasts, 10 *s.*;" that was the election day. "Luncheons and ale, 20 *s.*; Mr. Schreiber's sherry."

Mr. *Price.*] How much is Mr. Schriber's sherry.

Mr. *Powell.*] It is carried out "16 *s.*," but it must include the 10 *s.* "No. 11. Mr. Babbington, five suppers, 5 *s.*; grog, 5 *s.*; grog, 2 *s.*; wine, 12 *s.* July. No. 55. Mr. Brice," and nothing carried out; there is "soda, 6 *d.*; brandy, 6 *d.*; dinners and wine 4 *s.*"

Mr. *Price.*] Ask whether that Mr. Brice is not a different account.

4727. Mr. *Powell.*] Is it not that a continuation of the same account down to the bottom; where does that account of Schreiber's committee end?—There is nothing to Mr. Schreiber.

4728. When was that name "Babbington" put in?—As soon as I could ascertain it.

4729. But it was originally entered to Mr. Schreiber's committee?—The rooms were.

4730. As I read it, whether it is to one or the other, the single entry, I do not know. "Dinner, 4 *s.*, and wine; bed, 2 *s.*; attendance, 1 *s.* 6 *d.*; breakfast, 3 *s.*; Grant's bill, 8 *s.*; committee-rooms and yards in the house, 13," that may be some stranger; is this a sum or a stranger, "No. 13;" who was "No. 13;" is it intended to be a part of this entry?—Yes.

4731. "Fourteen dinners at 3 *s.* each on the 12th," the day of the poll; "hock, 12 *s.*; sherry, 6 *s.*; port, 6 *s.*; claret, 6 *s.*;" then there is "Mr. Hutchinson's bed-room; dinner, 4 *s.*;" is that the amount at which Mr. Hutchinson's bill was sent in?—Yes.

4732. Oblige me by looking at this; Mr. Ricketts is the gentleman who seconded the nomination of Mr. Schreiber; is that his private account?—His private account.

4733. Who is Mr. Williams, do you recollect?—Yes.

4734. Who is he?—A builder in the town.

Then

4735. Then here are flys, and a great number of things?—That is a private account.

4736. Are you quite sure about that?—Yes.

4737. Which was the other book in which you made entries?—This one (*referring to another book*).

4738. Was there not another long book?—No.

4739. Are you quite sure of that?—Yes.

4740. This is a ledger I see; here "August the 21st, 12 dinners;" has that anything whatever to do with the election?—No.

4741. I think you will find you are under a little mistake; will you oblige me by looking at this paper. There are a lot of bills; do you see a lot of bills there; to Shilers, Finlayson, Roberts, Byrne, Davis, and so on; has not that anything to do with the election; 12 dinners, and a bill of 8*l.* 6*s.*?—It is paid.

4742. It was paid by those parties?—Yes.

4743. What was the occasion when these 12 dinners were had—

4744. Mr. *Price.*] Is that little paper in your handwriting?—It is.

4745. Mr. *Powell.*] What was the occasion of the bill for 12 dinners, which amounts to 8*l.* 6*s.*? I do not know.

4746. How is this book connected with the day book (*handing a journal to the witness*)?—

4747. Mr. *Price.*] Is that in your handwriting?—It is.

4748. Mr. *Powell.*] Turn to the entry in that book, and look to the corresponding entries in this book; oblige me by turning to the corresponding entries in this book with reference to the 12th July in the other?—

The *Chairman* stated the Committee were of opinion that this evidence need not be pursued any further.

Mr. *Powell* stated that he would now hand in a list of the names of the persons who had been served with the Speaker's warrant, but who were not in attendance to give their evidence.

The *Chairman* inquired wheter Mr. Powell wished the Committee to adjourn until to-morrow, in order to take this evidence before the other side began their case.

Mr. *Powell* replied in the affirmative, and said that if the Committee would accede to his application, he would take care to have intimated to those witnesses that their conduct had been brought formally before the Committee.

The *Chairman* enquired where was the evidence that the persons referred to had had notice.

Mrs. *A. Goddard.*

2 May 1866.

Mr. *Powell* replied that he would supply the Committee with that evidence.

The *Chairman* inquired whether Mr. Powell was prepared to give evidence on oath that these people had been notified.

Mr. *Powell* replied that the warrants had been sent down to Cheltenham, but that the persons who served the warrants personally were not present; they resided in Cheltenham, and were not present simply because it was supposed that the witnesses referred to would obey the warrants.

The *Chairman* inquired whether that was the case on the part of the Petitioners.

Mr. *Powell* replied that it was, subject to that evidence, and stated that the following were the names of the witnesses referred to: Josiah Benson, Alice Thomas, Margaret Barnes, John Clements, and William Verinder.

The *Chairman* then called on Mr. Price to go on with the general case on the part of the sitting Member, leaving the cases to which these witnesses referred to be treated as separate cases.

Mr. *Price* submitted that it would be a saving of time if the Committee were now to adjourn until to-morrow, because Mr. Schreiber had not heard the whole of the evidence, and it would be his right to have it all read over to him, which would cause great delay.

The *Committee*, after some little discussion, agreed to adjourn until to-morrow.

Mr. *Price* applied to the Committee either to call on the counsel for the Petitioners to state what evidence they relied upon to prove agency, or else to intimate whether, in the opinion of the Committee, there was such a case of agency made out that the sitting member was bound to answer it.

The *Chairman* replied the Committee were of opinion that Mr. Price should proceed with his case.

[Adjourned till to-morrow, at 11 o'clock.

Thursday, 3d May, 1866.

ACTON SMEE AYRTON, Esq. in the Chair.

Mr. *Fitzjames Stephen* stated that the witnesses referred to yesterday were now in attendance.

Margaret Burns was called in; and, having been sworn, was Examined by Mr. *Fitzjames Stephen*, as follows:

M. Burns.
3 May 1866.

4749. You were at the last election a Waitress at the Royal Hotel?—Yes.

4750. Do you recollect persons being there on the day of the nomination?—Yes.

4751. Do you know whether those persons were voters or not?—I believe they were.

4752. Do you know a man of the name of Harris, a gardener?—Yes.

4753. Was he there?—He was there on the night.

4754. Where was he that night; in what room was Harris?—No. 9.

4755. Were there any other persons with him?—Not in that room.

4756. Were there any number of men together in another room?—Five in No. 11.

4757. How long had these five men been there?—Half the evening.

4758. Did they stay all night?—I believe so.

4759. Did you serve them?—Yes.

4760. What did you serve them with?—Brandy; sherry.

4761. Anything else?—Whiskey, I believe.

4762. Did you serve them from time to time during the night as they called for liquor?—Not all the time.

4763. Part of the time?—Part of the time.

4764. How long did you go on serving them?—It was three o'clock nearly when I went to bed; till that time.

4765. Did you leave them there?—Yes.

4766. Was there anybody at the door of the room?—I believe there was; Hicks.

4767. What was he doing?—He kept the door.

4768. What state were the men in as regards sobriety?—Oh! they were all tipsy.

4769. Now, without going into particulars, what state was the room in when you got there in the morning?—A beastly state in the morning.

4770. Did you get them their breakfast next morning?—Yes.

4771. What time did you get up to get them their breakfast?—About six.

4772. You were only three hours in bed?—No.

4773. What did they have for breakfast?—Cold beef, cold boiled ham, and boiled eggs.

4774. By the *Committee.*] How many were there in this room?—Five altogether.

4775. Mr. *Fitzjames Stephen.*] Did you see what became of them after they breakfasted?—They went to the polling, I believe.

4776. Did you see how they left the hotel, or what became of them?—No.

4777. Did you see them afterwards?—In the evening.

4778. Where did they come in the evening; what did you see happen in the evening?—They came there and had some refreshments.

4779. What time?—I cannot say exactly what time.

4780. Did they pay?—No.

4781. Did you ask for the money?—They told me it was to be booked.

Mr. *Fitzjames Stephen.*] Did you receive any instructions from the master of the hotel upon the subject of the refreshment to be supplied?

Mr. *Price* objected to the question upon the ground that instructions given by the master of the hotel had nothing to do with the sitting Member.

The *Chairman* stated that as the man was in the room yesterday, if the petitioners wanted to ask anything about the instructions they ought to have had him sworn.

4782. By the *Committee.*] They did not pay you, but they said it was to be booked?—Yes.

4783. Mr. *Fitzjames Stephen.*] Have you anything to do with keeping the books?—Nothing at all.

4784. Did you see anything of the dinner at the hotel that evening?—Yes.

4785. How many people dined there?—The five men dined by themselves in No. 11.

4786. Was there any other dinner there of a large number of persons?—Yes.

4787. How many?—From 20 to 30, I should think.

4788. Those five dined, and 20 or 30 others dined besides?—Yes.

4789. By the *Committee.*] Do you mean that 20 or 30 dined together in one room, or that there were 20 or 30 people dining in the hotel that evening?—No; in one room.

4790. Mr. *Fitzjames Stephen.*] Do you know who those 20 or 30 persons were?—Mr. Ricketts was one, and Mr. Shirer another; the others I don't know their names.

4791. How do you spell Mr. Shirer's name; is it Shiler or Shirer?—I don't know exactly how the name is spelt; I think that is the gentleman's name.

4792. Do

4792. Do you know the person at all; is he a gentlemanly person?—Yes, he is.

4793. Is Mr. Ricketts a voter?—Yes.

4794. Is Mr. Shirer a voter?—Yes.

4795. Can you tell me the names of any more of the persons who dined among these 20 or 30 people?—No; I cannot.

4796. Did they pay, that you know of?—I received no money for anything.

4797. How long were these five men there sitting in the hotel; when did they first come?—I did not see them come.

4798. Had they been there more than one night, or only that night?—Only one night.

4799. Was there a waiter named Price there?—Yes.

4800. Is he dead?—He is.

4801. I must not ask you what instructions you received from Mr. Nicholls, but did you receive instructions from Mr. Nicholls as to the payment for these refreshments; don't say what they were, but did you or did you not receive instructions from Mr. Nicholls about who this was to be booked to; we will go by steps; with respect to what the five men had, did Mr. Nicholls tell you who that was to be booked to?—They told me.

4802. What?—The parties who had it told me.

4803. Did Mr. Nicholls say anything about it?—I saw Mrs. Goddard put it down.

4804. Where did you see her put it down?—I saw her put it down.

4805. Should you know the book in which she put it down?—I don't think I should.

4806. What kind of book was it; what colour?—A white one, I think.

4807. A book like that—(*producing to the Witness one of the books referred to by Mrs. Goddard*)?—I cannot exactly say.

4808. I do not ask you to say exactly; was it a book of that sort?—They generally kept their accounts in a book of that sort.

4809. Had they more than one book of that sort in which they put their accounts?—I think they had.

4810. Could you say how many books of that sort you think they had?—No.

4811. You saw her make an entry?—On the book; yes.

4812. About what these five men had?—

4813. Mr. *Price.*] Did you see the entry?—I did not see it.

4814. Mr. *Fitzjames Stephen.*] Did you see her put an entry in the book?—I saw her writing something in the book.

4815. Did she write that in consequence of anything you said?—I don't know.

4816. Had you been speaking to her just before?—I told her it was to be booked to Mr. Schreiber.

4817. And then she made an entry in the book?—Yes.

4818. Can you give us an idea of what quantity of meat and drink, and refreshments generally, you supplied to these five people?—No.

4819. Can you give us a general idea of what amount of refreshment was supplied to these people?—No.

4820. I cannot ask you as to the particular bottles of wine, but can you give us a notion in value of what amount of refreshments they had?—I cannot.

4821. Eh?—No, I cannot.

Cross-examined by Mr. *Price.*

4822. You are no longer in the service of Mr. Nicholls?—No.

4823. When did you come up from Cheltenham?—Last evening.

4824. Who with?—A young lady.

4825. And young Mr. Boodle?—I did not come up with him.

4826. Did he meet you at the station when you arrived?—No.

4827. Where did you see him?—At the hotel.

4828. Did he stay at the same hotel?—We stopped at Spring-gardens.

4829. Did he stay in the same place?—Yes.

4830. Who else came up with you?—Alice Thornet.

4831. Who is she?—A fellow servant.

4832. Is she in service now at the Royal Hotel?—No; she is not.

4833. Have you both been discharged together?—No; I went before she went.

4834. Have you both being staying with young Mr. Boodle?—Yes.

4835. Eh?—In the same hotel.

4836. Had you been notified to come up here before?—I had a notice.

4837. When?—Tuesday evening.

4838. Why did you not come?—My mistress would not allow me to come before.

4839. What is your mistress' name?—Mrs. Gorely; she could not possibly spare me before.

4840. Do you mean to say that you know of your own knowledge that any one of these men were voters, or have you been told by Mr. Boodle that they were?—No; I knew they were.

4841. How?—They voted for Mr. Schreiber.

4842. Were you present when they voted?—No; I was not.

4843. Is it from what you have been told?—No; it is not.

4844. Then how do you know they voted? Have you not been told they voted for Mr. Schreiber?—No.

4845. How do you know they did?—I know they did.

4846. Then you were not there when they voted, were you?—I was there the nomination day.

4847. Were you there when they voted?—No.

4848. How do you know they voted for Mr. Schreiber; somebody must have told you so?—(*The Witness paused*).

4849. You had better tell us who it was; did young Mr. Boodle tell you?—No, he did not.

4850. What; come, young Mr. Boodle told you last night, did he not?—(*The Witness paused for some time*).

4851. I do not want to keep you very long; did young Mr. Boodle tell you last night?—He did not.

4852. Did he talk to you about the evidence you were to give to-day?—He told me to tell the truth, and nothing but the truth.

4853. What did he mean by telling you to tell the truth; had you not given your evidence to anybody before you came here?—(*The Witness paused*).

4854. Eh?—No.

4855. Did

M. Burns.

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4855. Did they not know before they called you what you were going to say?—I cannot say whether they did or not.

4856. You must know; have you never told it to anybody?—No.

4857. Have you never told to anybody what you were going to say?—No.

4858. Have you never been asked?—No.

4859. About these five men?—No.

4860. You have never been asked?—No.

4861. They would not bring you here without knowing what you were going to say; young Mr. Boodle did not know what you were going to say?—No, he did not.

4862. Are you sure he did not?—No.

4863. Did Mr. Gaisford?—Mr. Gaisford I have never spoken to about it.

4864. Have you never spoken to anybody as to what you could say about these five men?—(*The Witness again paused*).

4865. Now, come, you had better tell us?—I know what I had to say.

4866. Did you ever tell anybody else what you were going to say about these five men that they were voters?—No.

4867. Did you ever tell Mr. Cheshire?—No.

4868. Have you seen Mr. Cheshire about it?—That was Mr. Cheshire who sent the first notice to us.

4869. Have you seen Mr. Cheshire about the evidence you were to give?—He said we were to come here.

4870. Have you seen him about the evidence?—No, I have not seen him.

4871. You have not told him what you could say?—No.

4872. Have you been asked what you know?—(*The Witness again paused*).

4873. Eh; did he tell you you were one of his most important witnesses?—(*The Witness still paused*).

4874. Did Mr. Cheshire tell you that you were one of his most important witnesses?—I do not remember.

4875. Oh, come; did he give you 5*s.* with the warrant?—No, he did not give me anything.

4876. Who paid your expenses to come up here?—It was brought with the paper.

4877. Did Mr. Cheshire then tell you you were one of his most important witnesses?—No, he did not.

4878. Eh; are you sure of that?—(*The Witness paused*).

4879. Are you sure that he did not tell you you were one of his most important witnesses?—(*The Witness continued to pause*).

4880. Eh?—He said the others would be as much wanting as me.

4881. Did he tell you that you were one of his most important witnesses?—I do not remember, sir.

4882. He may have said so?—I do not remember at all.

4883. You will not say he did not?—No.

4884. You never told him, or anybody else, what you could prove?—(*The Witness paused*).

4885. You had never told him, or anybody else, what you could prove, had you?—(*The Witness still paused.*)

4886. Now, come, tell us; never mind looking at the gentlemen on that side of the table, look at me; are you sure you never told anyone?—Yes, I am quite sure.

4887. You never told anybody your evidence, and they brought you here without knowing what you had to say?—Yes.

4888. Eh?—I knew what I had to say.

4889. But did they, that is the question?—I don't know, I am sure.

4890. You never said to anybody what you could prove?—Only these gentlemen here.

4891. You never mentioned it to anybody else?—No.

4892. Then you never mentioned to anyone else, until you came here to-day, what you have now told us?—No, I knew I was to come.

4893. Now, do tell us?—I have told you all I know.

4894. By the *Committee.*] The question you are asked is, whether anyone has examined you?—No, they have not. They have told me to tell the truth, and nothing but the truth.

4895. Did they not ask you what you knew about the matter before you came here?—I don't remember at all.

4896. Did anybody come to you?—They came, and brought me a paper.

4897. Who were they?—Miss Bennett brought me the last.

4898. Who brought the first?—I don't know the gentleman's name.

4899. Did he ask you anything, as to whether you could give any evidence in this matter?—No, he told me I should have to come here when I was required.

4900. What for; what did he tell you to come for?—To prove what I knew.

4901. Did he ask you at all what you knew about the matter?—I do not remember at all what he asked me; I cannot say.

4902. Did he ask you anything at all?—No, I don't think he did.

4903. Mr. *Price.*] You have remembered since the election all this about these five men, all that they had to drink, and all they had to eat; do you mean to tell us that you have carried that in your mind, and never spoke of it to anybody?—Oh, yes, I can remember it very well.

4904. Did Mr. Cheshire give you 5*s.* in Gloucester, some weeks ago, to go to the theatre?—No, he did not.

4905. Eh?—No.

4906. No money at all?—No money at all.

4907. Have you seen Mr. Cheshire more than once?—I saw him twice.

4908. What did you see him the second time about?—He came to see me.

4909. What did he say?—I do not remember what he said.

4910. How long was he with you?—Not many minutes.

4911. You have no idea what he came about?—(*The Witness paused for some time*).

4912. Have you no idea what he came about; did he merely come to look at you?—To see where I was.

4913. He came and said "How do you do," and walked away?—He might have said more.

4914. Did he take anything down in writing?—No.

4915. Cannot you remember what he said?—No, I cannot.

4916. How long is it ago?—A few weeks ago.

4917. You cannot remember a word he said to you?—No.

4918. Not a word, eh?—Not a word.

4919. You

4919. You cannot remember a single word he said to you?—(*The Witness paused.*)

4920. Eh?—No, I cannot.

4921. But you can remember all this perfectly well which took place at the election months ago?—Yes, I can.

4922. My friend examined you from a long paper; can you make out how that could be at all, if you never told anybody?—No.

4923. You cannot understand that at all?—No.

4924. Have you no idea how they got to know all about it, that you waited upon these five people, serving them with brandy and whiskey up to three o'clock?—(*The Witness paused for some time.*)

4925. You have no idea how they got to know it?—No.

4926. You have never breathed it to a soul?—(*The Witness again paused for some time.*)

4927. Eh? you have never said a word about it to anybody?—(*The Witness paused.*)

4928. Well?—(*The Witness continued to pause.*)

4929. Have you, Miss Burns, or not?—I don't remember what I said.

4930. You surely can remember whether you told it to anybody, because here they evidently know it all; they have a long story; how did they get to know it?—(*The Witness again paused.*)

4931. How did they get to know it, have you the least idea?—No, I have not.

4932. You say you believe Hicks was there; are you sure about Hicks?—He is a man from the colonnade.

4933. Are you sure he was there?—Yes, I am quite sure he was there.

4934. But you say none of these people paid themselves?—No.

4935. Might they have paid down in the bar?—I did not see them.

4936. But might they have done so?—No, I think not.

4937. Were you always in the bar?—They told me to book it.

4938. If Mrs. Goddard had said that anybody paid for what they had, is that true or not?—They did not pay me anything.

4939. Now, you say that after you had spoken to Mrs. Goddard, she put something down in a book?—Yes.

4940. You say it was in a book like that (*referring to one she had already produced*)?—It was a book; I cannot remember what sort of a book it was; it was a white book.

4941. Was it like this?—I do not know, I do not remember.

4942. How long were you waitress at this hotel?—Only four months.

4943. Were you with Mrs. Goddard in the bar?—I saw her through the window.

4944. Was this the sort of book?—I don't remember.

4945. Now look at it, can you read?—A little.

4946. Do you know Mrs. Goddard's handwriting?—I don't know that I should.

4947. Did you ever see a book at all like this whenever you were in the bar; do you know what size the day-book was?—I do not remember at all.

4948. Do you remember anything at all about her putting anything down in a book?—I saw her put it down on the book.

4949. By on the book, do you mean in the book?—Yes.

4950. You are sure about that?—Yes.

4951. You cannot tell us whether it was a book like that or not?—No, I cannot.

4952. You have not the least idea?—No, I cannot remember that.

4953. You cannot remember what sort of a book it was?—No.

4954. Now about these five men; give me the names of any one of them?—Hicks and Harris.

4955. Hicks, you say, kept the door, was Hicks in the room?—(*The Witness paused.*)

4956. What do you mean by keeping the door?—Standing by the door.

4957. Was he outside or in?—Just inside.

4958. He was standing inside when you went in?—Yes.

4959. That is what you mean by keeping the door?—(*The Witness paused.*)

4960. Is that what you mean; that when you went into the room you saw Hicks standing by the door?—Yes.

4961. Give me the names of any of the other men?—I cannot remember the names.

4962. Give me the names of any others that were in there?—Harris, I believe was one; I cannot remember any other names.

4963. Why do you say you believe, if you are quite sure?—Wright is another name.

4964. You are quite sure about those?—Yes, quite sure.

4965. Now, I ask you, Miss Burns, again, you say you remember perfectly well the names of those who were there?—Those three.

4966. You cannot say one single word of what Mr. Cheshire said to you two or three weeks ago?—No.

4967. Do you mean to say that?—Yes.

4968. Or whether you told him a single word about what you were going to say to-day?—I cannot remember at all.

4969. You remember perfectly well the names of those men?—Those three.

4970. And what they had to eat and drink?—Yes.

4971. What was the last thing you took to them?—A pint of sherry.

4972. The last thing?—The last thing.

4973. That you have a perfect recollection of?—Yes.

4974. You have not the slightest recollection what you said to Mr. Cheshire three weeks ago?—No.

4975. (By the *Committee.*) When did you come to London?—Last evening.

4976. Mr. *Price.*] Did you see Mr. Schreiber there that day in the hotel?—No.

4977. Did you see George Powell there?—I do not know the gentleman.

4978. You said from 20 to 30 people dined there; give me the names of any of those 20 or 30?—Mr. Ricketts.

4979. Was that Mr. Ricketts's party?—Yes.

4980. Did they not pay for what they had?—I cannot say.

4981. Are not Mr. Shirer, Mr. Ricketts, and Mr. Lawrence some of the most respectable tradespeople in Cheltenham?—Yes.

4982. They keep the larger shops in Cheltenham, do they not?—I have heard they do.

4983. You know it, don't you?—I do not know it.

4984. You

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4984. You cannot say whether they paid or not?—No.

4985. All you say is, they did not pay you, nor did these five people, when they left the bar?—No.

4986. They breakfasted the next morning?—Yes.

Re-examined by Mr. *Fitzjames Stephen.*

4987. You have been asked a great deal about what you said to Mr. Cheshire; have you a fellow-servant of the name of Thornet?—Yes.

4988. Was she there at the time this was going on?—She was.

4989. Do you know whether she spoke to Mr. Cheshire at all?—I do not know at all what she may have said.

[The Witness withdrew.

ALICE THORNET, was called in; and, having been sworn, was examined by Mr. *Fallon,* as follows:

A. Thornet.

4990. Is your name Alice Thornet?—It is.

4991. Were you servant at the "Royal Hotel" during the last election?—I was.

4992. Do you recollect the nomination day?—Yes.

4993. Did you wait upon the people who were in the house that day?—Yes; I assisted in waiting there.

4994. Do you know the room Number 11?—Yes.

4995. Were there any persons there?—Yes.

4996. How many were there?—Five.

4997. How long were they there?—Well, I cannot exactly say how long they were there.

4998. Where did they go to?—

The *Chairman* stated that it was unnecessary to repeat the evidence.

4999. Mr. *Fallon.*] Did you see the state that the room was in?—I see the room.

The *Chairman* stated that it was not necessary to go into that.

5000. Mr. *Fallon.*] Was there a large dinner given in the evening?—There was a large dinner.

5001. How many people were there—about?—Well, I should think there were from eight-and-twenty to 30.

5002. Can you give me the names of any who were there?—I can mention Mr. Ricketts.

5003. Well, anybody else?—That is all the names I can mention.

5004. Were you about the hotel the whole of the nomination day?—I was.

5005. And the polling day?—Yes.

5006. Did you see Mr. Schreiber there at all?—No.

5007. Did you see those five men leave the hotel?—I did not.

5008. By the *Committee.*] Do you know who these five men were?—No, I do not.

5009. Mr. *Fallon.*] Do you know any of them?—No, I only know the one who was locked up in Number 9.

5010. Who was that?—William Harris.

5011. To whom did you tell this; have you told this to anyone, or had your examination taken down?—No.

5012. Eh?—No.

5013. Mr. *Price.*] You slept in the same house with young Boodle?—No.

5014. By the *Committee.*] Were you staying in the same hotel?—No, I did not sleep there.

5015. Mr. *Price.*] Not in the same hotel with with young Mr. Boodle and Margaret Barnes?—No.

5016. Mr. *Fallon.*] Where did you sleep?—

The *Chairman* stated that it was unnecessary to go further into that.

5017. Mr. *Fitzjames Stephen.*] There is one question I will ask, with the permission of the Committee. What was the number of the room where these five men were?—Number 11.

5018. And the other man?—Number 9.

Mr. *Fitzjames Stephen* stated that that would be the case on behalf of the Petitioners.

Mr. *Price* stated that he would call his witnesses, in the first instance, before addressing the Committee.

[The Witness withdrew.

CHARLES SCHREIBER, Esq., a Member of the House, called, and sworn; Examined by Mr. *Price.*

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5019. You were a Candidate, as we hear, for Cheltenham, in the year 1859?—I was.

5020. And were then beaten by a majority of 12?—Twelve votes.

5021. Since that time, Mr. Schreiber, have you attended very closely to the register in Cheltenham?—I have.

5022. You became a candidate at the election of 1865; when did you first announce yourself as a candidate in 1865?—Immediately after the election of 1859.

5023. Therefore it was known you were to be a candidate at the next election?—I was before the constituency.

5024. When was the next election?—In 1865.

5025. Who were your agents; who acted for you at the election?—Mr. Gwinnett was my agent.

5026. Had you any regularly organised committee, or not?—No.

5027. Were you in constant communication with Mr. Gwinnett during the canvass, and during the election?—With Mr. Gwinnett, yes.

5028. Did you make a very active canvass yourself?—Most active.

5029. When did you commence your canvass; how long after it was known there was to be an election; and how long before the election did you commence your canvass?—Our organised canvass began on Monday, the 19th of June.

5030. When had you concluded that which you called your organised canvass?—I concluded it on the Saturday previous to the nomination.

5031. Did you go very carefully through the returns; you yourself having canvassed, did you go

go very carefully through it with Mr. Gwinnett?—Most carefully.

5032. What did you find?—

Mr. *Fitzjames Stephens* objected to any questions as to Mr. Schreiber's opinion with reference to his own canvass.

The Committee decided the question could not be put.

5033. Mr. *Price.*] Then you concluded your canvass at that time?—I did.

5034. Now, I will ask you this: since you have been in this room you have heard the name of George Powell very often mentioned?—Very frequently.

5035. When, to your knowledge, did you see Powell first?—In this room.

5036. Did he ever canvass with you, on any occasion, during the election?—Never.

5037. Is it true that he ever walked up Bath-road, side by side with you, either on the nomination day or on the polling day?—It is untrue.

5038. Or any other time?—Yes.

5039. Now, Mr. Schreiber, I will first ask you as to the nomination day. You were staying, during the election, at Suffolk Hall, Mr. Fortescue's?—I was.

5040. The nomination, I presume, was held about 10 o'clock, or some time like that, in the morning?—At 11 it was fixed for.

5041. What time, as far as you recollect, were the proceedings at the nomination over?—I was back at the "Royal Hotel" by two o'clock.

5042. When you got back to the "Royal Hotel," what did you do there?—I made a short speech.

5043. Did others, your supporters, also do the same thing?—They did.

5044. By the *Committee.*] Do you mean a short speech from the window?—From the balcony.

5045. Mr. *Price.*] Did you stay there while your supporters made those addresses?—I did.

5046. That being so, where did you go next?—I returned in Mrs. Fortescue's carriage to Suffolk Hall.

5047. Was Lady Charlotte with you?—Yes.

5048. And Mrs. Fortescue?—I presume Mrs. Fortescue was with us.

5049. You returned with them to Suffolk Hall?—I did.

5050. Did you stay there the rest of the day?—No.

5051. Where did you go afterwards?—I first had lunch, and I then came down to my central committee-room.

5052. What time do you think it would be when you got back from your lunch to your central committee-room?—Not sooner than, and most probably after, three.

5053. By the *Committee.*] How did you come back to the committee-room?—In a fly, I think.

5054. Mr. *Price.*] Did you come straight from Suffolk Hall to the committee-room without calling anywhere?—I did.

5055. Did you return alone?—To the best of my recollection.

5056. How long did you stay at the central committee-room?—From an hour and a half to two hours.

5057. Did Lady Charlotte join you there?—She did.

5058. Are you quite sure you stayed at the central committee-room till Lady Charlotte joined you?—I am quite certain of it.

5059. Then did you and Lady Charlotte return to Suffolk Hall?—No, I did not return with Lady Charlotte at all.

5060. Where did you go to after that?—I came back to Suffolk Hall by myself; Lady Charlotte went for a drive with Mrs. Fortescue, to the best of my knowledge.

5061. Did you remain at the central committee-room?—I remained at the central committee-room till I went back to Suffolk Hall.

5062. Are you quite sure from the time you entered the central committee-room that you did not go into the neighbourhood of Bath-road until you returned home?—I am perfectly sure I returned home; most probably in a fly.

5063. Did you go anywhere to canvass anybody on your return home to Suffolk Hall?—No.

5064. Now I will take you to the polling day; was your brother during the election a great deal with you—Captain Schreiber?—My brother, Captain Schreiber, was with me constantly.

5065. Was he on the polling day with you pretty nearly the whole day?—He was.

5066. Is he or not a stranger in Cheltenham?—He is.

5067. I believe he is now in the Royal Artillery, stationed at Gosport, and is not well known in Cheltenham?—He is a stranger to Cheltenham.

5068. Can you tell us what you were doing on the polling day between 2.30 and a quarter to four; were you with Palmer and a man of the name of Jones?—I was not.

5069. In a fly?—No.

5070. Now, are you perfectly sure of that?—I am perfectly sure.

5071. Now, Mr. Schreiber, do you know a voter called William Skinner?—I do.

5072. Do you remember canvassing him previously to the election in 1865?—I do.

5073. Did you see him once or more than once?—I saw him once.

5074. Where was that?—At his house.

5075. How long before the election was that?—More than three weeks.

5076. Is it true that George Powell, whom you say now you have not seen except here, went with you to canvass Skinner?—It is not true.

5077. Who did go with you?—Mr. Fortescue.

5078. Who, we are told, is an old gentleman, with grey hair, tall and thin?—Yes; he is 86 years old.

5079. Now, if Skinner has sworn that he saw you two or three days before the election in his shop, is that true or false?—It is untrue.

5080. When you did see him, did you ask him what he would want for his vote, and if he was in any difficulties?—No.

5081. Did you say to him "Is any money of use to you or any services"?—No.

5082. Did you say anything at all about money or services, or hint at anything of the kind?—Nothing of the kind.

5083. Did you at that time know that there was any arrangement between him and Mr. Stroud, or that there had been any conversation between him and Mr. Stroud about his vote at all?—I did not.

5084. I do not know when you were first brought into contact with Mr. Stroud during the election,

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election, when you first saw him, or when he was acting for you?—Perhaps a couple of days before my organised canvass began.

5085. When you canvassed Skinner you knew of nothing that had passed between him and Mr. Stroud?—I did not.

5086. Is it true, then, that you alluded to any arrangements; was there, in fact, any arrangement between you and Mr. Stroud?—It is positively untrue.

5087. Did you say "Whatever you want you shall have"?—Nothing of the kind.

5088. "Mr. Stroud will settle with you for it"?—I never mentioned Mr. Stroud's name to Skinner.

5089. When you were there, will you tell us whom you recollect to have seen in the shop, or in the house besides Skinner himself?—A woman behind the counter serving another, a customer, in front of it.

5090. Do you know who the woman was serving behind?—I do not.

5091. Did you see that Mrs. Foster who was here the other day?—I did not; I was not here.

5092. Now, are you quite sure you did not, two or three days before the election, go into a room at the back of the shop, and have a conversation with Skinner in the presence of any woman whatever?—I am quite certain I did not.

5093. Now I will take you to Brinsdon; do you know a man of the name of Brinsdon, the landlord of the "Fountain Inn," at Cheltenham?—Enoch Brinsdon.

5094. Was any man of the name of Powell with you when you canvassed him?—He was not.

5095. Powell, the commercial traveller, as he is called?—I do not know what he is called; he was not with me.

5096. Who were with you when you canvassed Brinsdon?—Mallery, senior; Mallery, junior; my brother, Captain Schreiber; and Mr. Agg-Gardiner; that ended my canvass in that division of the south ward.

5097. Was there a man of the name of Davis with you?—I do not remember that he was; I remember the others.

5098. Was there anything said by you, or did a man of the name of Powell say, in your presence, "I should recommend Mr. Schreiber to tell Colonel Berkeley to teach his supporters to speak grammar before they talk to gentlemen." Did Powell say that in your presence?—Powell was not there to say it.

5099. Did anybody use that expression in your presence?—My brother said so.

5100. That expression about teaching grammar?—He did not use the word "grammar."

5101. Tell us how that expression arose?—The voter Brinsdon was rather impertinent. He said, "Why, what are you doing here; you wanted to stand for some place in Ireland the other day."

5102. Did he mention the place?—No, he did not; but I presume he alluded to a report in a local newspaper (how it got into the newspaper I have no knowledge of, for there was not the slightest foundation for it) that I was a candidate for the borough of Tralee; and my brother, knowing I had never entertained any views with regard to an Irish constituency, said, "Mr. Schreiber ought to tell Colonel Berkeley to teach his supporters geography;" that was the expression.

5103. Upon that, did the man order you out of the house?—He did; he hustled us out of the house.

5104. Do you know a man named Knowles?—Yes.

5105. Did you canvass him?—Yes.

5106. He keeps a public-house where there is a skittle-alley, does he not?—The "Standard" public-house.

5107. Where there is a skittle-alley?—Yes.

5108. Did he say to you that he should not vote at all unless he was paid for it, for he had lost four days on the last election, and had to pay a man for his time, and should not give it unless he was paid for it?—He did not.

5109. Did he say one single word to you about money?—No.

5110. Or you to him?—No.

5111. Did he mention the sum of 15 *l.*?—No.

5112. Was he in his back yard, as it were?—He was in the skittle-alley, where I thanked him for the promise of his vote.

5113. Is it true that you jingled any money in your pockets?—Not to the best of my recollection; I may have had my hand in my pocket.

5114. By the *Committee.*] Who was with you on that occasion?—My agent, Mr. Stroud, and a man named Byrne.

5115. Byrne and Mr. Stroud were with you?—Yes; and Layton.

5116. Do you remember looking into the tap-room?—I do not recollect that.

5117. At all events, you saw him in the back place, and nothing of that kind took place, or any sum of money mentioned?—Nothing of the kind.

5118. Did you know which way he was going to vote before he promised you?—Yes; I called to thank him.

5119. He had, of course, promised you before?—He had promised my agent before.

5120. Who do you mean by your agent?—Mr. Stroud.

5121. Mr. *Price.*] Was that all that passed between you?—He hoped I should pull through, generally. "I wish you luck, sir," or something of that sort.

5122. Did Mr. Mallery, senior, canvass with you; you remember canvassing in the Bath-road?—In his division of the Bath-road.

5123. Was Bath-road in his division?—Yes.

5124. Did you ever canvass in the Bath-road with anybody else than Mr. Mallery?—No.

5125. As a companion?—I never canvassed in that division of the south ward without Mr. Mallery.

5126. Now, we have heard, and I suppose it was the case at Cheltenham as it generally is at other places, that a great number of people tacked themselves on to you, when you were canvassing, whom you did not know?—Doubtless.

5127. Were you ever in a fly canvassing people with anybody whom you did not know personally?—In a fly; never.

5128. Then, is it true that you were walking with Powell up the road, and a fly or a cab was following you empty at that time?—No.

5129. *Chairman.*] What time was that?—

5130. Mr. *Price.*] In the day-time. (To the *Witness.*) Did that ever happen?—No.

5131. Did it ever happen that you went up the Bath-road about the time of the election, walking with Powell, whilst a fly was going up empty behind you?—Most certainly not.

5132. By

5132. By the *Committee.*] Is your brother anything like Powell in appearance?—You will have an opportunity of seeing him; my brother is here; he is not the least like Powell.

5133. Mr. *Price.*] Now, Mr. Schreiber, let me ask you this: during the election, or from anything that took place before from your instructions, do you know of any direct or indirect corrupt influence brought to bear on your behalf?—I do not.

5134. On the day of the nomination, between half-past two and a quarter to four, I understood you to say you were not up the Bath-road, either in a fly or walking with either Powell or anyone?—I have already stated that I was in my central committee-room.

5135. On the day of the polling, were you between those hours, or any time in the afternoon, up the Bath-road with either Powell or Palmer, either in a fly or walking?—No.

5136. Do you know of any bribe used on your behalf, or any promise to get a place, or give a bribe of any kind whatever?—I do not.

5137. What were your instructions, Mr. Schreiber, to your agent, Mr. Gwinnett, with whom you were in constant communication?—Never to spend a farthing in corrupt practices.

5138. Are your accounts altogether closed with Mr. Gwinnett?—They are.

5139. Have you the slightest intention to pay, or the slightest expectation that you will be called upon to pay, another shilling with respect to the last election at Cheltenham?—I have not.

Mr. *Powell* requested the Committee to allow George Powell to come into the room for an instant.

The Committee granted the application.

George Powell was called, but did not answer.

Cross-examined by Mr. *Powell.*

5140. Is the person whom my friend and yourself have been speaking of as Powell the person who appeared before the Committee when you were in the room and examined as Powell?—I do not quite understand you.

5141. My friend has been asking you questions with reference to one Powell?—Yes.

5142. When you have been speaking, in answer to my friend Powell, did you mean the man whom you have seen brought into the room from time to time as Powell?—I did.

5143. That is the person of whom you were speaking?—Yes.

5144. I am to understand that. Am I to understand that there can be no possible mistake as to the identity of the Powell of whom both you and my friend have been speaking?—Certainly not.

5145. He is the same person who has been so frequently mentioned in this inquiry?—Certainly.

5146. You say you first saw him in the Committee-room; when?—I forget the day; but I heard his name. I know he was brought in.

5147. Do you mean during the present inquiry?—During the present inquiry.

5148. Then I understand you, do I, to say that you never saw that man Powell until after this inquiry had commenced?—To the best of my belief. I may have possibly passed him in the street.

5149. To your knowledge?—Not to know him by his name.

5150. When did you first hear of him?—In this inquiry.

5151. In this inquiry?—In this inquiry.

5152. There is no mistake, then, about it, that you never heard of that man until this inquiry commenced in this room?—That is so. If the Committee will allow me to state, I have an influential supporter of the name of Powell, an upholsterer, in the Promenade. When I heard the name of Powell mentioned, and heard that Powell was about to be produced, I looked for my friend the upholsterer; I know no other Powell.

5153. When did you first hear that an election petition was to be presented?—That one was presented.

5154. Yes. I presume about the time it was presented?—Yes.

5155. That was the 14th of February?—Very likely.

5156. And then you discussed this matter with your agents and friends?—The matter of the petition.

5157. The matter of the petition?—The probability of the petition.

5158. Now, independently of the probability of the petition, since the petition has been presented have you discussed the questions relating to that petition with your supporters and friends?—I have.

5159. I distinctly understand you to say that, notwithstanding that, you never heard of the name of Powell in connection with this inquiry till the inquiry had commeneed?—I swear that most solemnly.

5160. Was Powell, the upholsterer, ever out canvassing with you?—No, I do not recal that he was.

5161. Now, as to Skinner. You did, as I understand, call on a man named Skinner?—I did.

5162. When did you first call upon Skinner?—Before my organised canvass began.

5163. Your organised canvass, I find you said, was about the 19th?—The 19th of June.

5164. Did you call upon him after your organised canvass had began?—I called on him with the agent of that sub-district.

5165. Who was the agent of that sub-district?—Mr. Russell.

5166. Was anybody with you when you first called upon him?—Mr. Fortescue.

5167. I hope that gentleman is well, Mr. Fortescue?—I believe he is.

5168. Is he here?—I think he is coming. He is 86.

5169. Did you ever call upon him with Mr. Stroud?—No.

5170. Did you ever communicate with Mr. Stroud about him?—No.

5171. You never communicated with Mr. Stroud about him?—No.

5172. Was Mr. Stroud out frequently with you?—In his sub-district.

5173. Which was that?—The lower end of the north ward; this was the upper end of the north ward.

5174. By the *Committee.*] Mr. Stroud had charge only of one district?—We sub-divided the wards; there were five wards in Cheltenham. We halved them; Mr. Stroud had charge of half, and Russell the other half. Skinner lived

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in Russell's district. He had no connection with Mr. Stroud.

5175. Mr. *Powell.*] Who did I understand was with you when you first called on Skinner?—Mr. Fortescue.

5176. Anybody else?—Nobody else.

5177. What passed on that occasion?—I said, "Skinner, I hope you will do me the favour of giving me your vote," and so on.

5178. What did he say?—"Well, sir, interest on both sides; I must look to my customers. I have customers on both sides; I cannot promise. I do not think I shall vote for either of you."

5179. Did he, or not, promise you on that occasion?—He did not.

5180. When did you call upon him again?—That I could not say; but whenever my route lay round that district with the agent of the sub-district, I called on him, as a matter of course.

5181. Did you ever call on him with anybody but Mr. Fortescue?—No; I never saw Skinner with anybody but Mr. Fortescue, because I did not see him those other times. I only saw Skinner once.

5182. That was the first time you called?—That was so.

5183. That was the first time before you began your canvass?—That is so.

5184. There is no mistake about that?—There is no mistake about that.

5185. Do I understand you to say that you had not at all spoken to Mr. Stroud about him, or Mr. Stroud spoken to you?—That is so.

5186. Did you keep a canvass-book?—No.

5187. Not at all?—No.

5188. Who did keep your canvass-book?—The agents of the sub-district kept their respective books.

5189. Who would keep the canvass-book of this district?—Russell.

5190. Is Russell here?—No, I believe he is not.

5191. Is his book here?—I do not know. I never thought to ask.

5192. Then it is not true that at any time you spoke to Skinner about an arrangement between him and Mr. Stroud?—It is positively untrue.

5193. Now, then, Brinsdon; you did, as I understand you, call upon Brinsdon?—I called upon Brinsdon.

5194. You have told us that Mr. Mallery, senior; Mr. Mallery, junior; your brother, and Mr. Agg-Gardiner were with you?—Yes.

5195. Was there no one else with you?—I do not recollect anybody else.

5196. Who was the sub-agent of that district?—Mr. Mallery's son; Mallery the younger.

5197. Are you certain that Powell was not there on that occasion?—I am quite certain.

5198. Did anybody say, "Now, old fellow, we have come for a decided answer," or words to that effect?—I do not remember.

5199. Did he say, "I shall not change my mind"?—I do not recollect.

5200. Did he say to you, "We shall send you away as they did from Leominster"?—I do not think the word Leominster came in in that connection.

5201. I must give you the trouble to recollect whether in substance he said, "We shall send you away as they did from Leominster?"—No, it was not said in that way.

5202. In what way was it said?—It was in connection with this borough of Tralee that it came in.

5203. You say Leominster was mentioned?—Not by Brinsdon.

5204. Who was it mentioned by?—I do not know.

5205. It was mentioned in Brinsdon's presence?—It came up in some way.

5206. Did you say to him, "What alterations can we make for you;" or anything to that effect?—No.

5207. Nothing of the sort?—No.

Mr. *Price.*] There is not a word of that said by Brinsdon.

5208. Mr. *Powell.*] I have now got the short-hand notes of the evidence, so that we shall see; was Davis one of the persons who were there?—I do not remember that he was.

5209. Do you know Davis?—Very well.

5210. Young Davis?—Both the Davises.

5211. He wears glasses?—Yes, and so does his father.

5212. Was he there?—I do not remember that he was.

5213. Was he asked in your presence if he was a stranger in Cheltenham?—Young Davis.

5214. No, Brinsdon?—Yes, I think he was.

5215. By whom?—I could not say.

5216. Was he asked if he had ever voted in Cheltenham?—Yes.

5217. By whom?—I could not say. Most likely by a Mr. Mallery, if you ask me.

5218. Now, about Knowles, Mr. Schreiber; where do I understand you to say it was that you canvassed Knowles?—I thanked him.

5219. Where was it you canvassed him?—I can hardly be said to have canvassed him, because I called to thank him.

5220. Did you canvass him before you called to thank him?—No.

5221. Had you ever seen him before?—To the best of my recollection, not.

5222. Who told you he had promised to vote for you?—Mr. Stroud.

5223. How long before you called on him?—I should think most probably a month before I entered the house.

5224. What ward does he live in?—The north ward.

5225. I think you told me that Mr. Stroud's division was the east ward?—I said the lower end of the north ward.

5226. Did you not tell my friend just now that you canvassed him at the "Royal Standard Inn"?—That was I believe the name of the public-house.

5227. Was it the "Royal Standard Inn," that you canvassed him at?—It was at his own house.

5228. Was it the "Royal Standard Inn"?—To the best of my belief that was not his house.

5229. Where is the place that you have been speaking of?—I take it to be in the north ward.

5230. What street is it that you say the house was in?—I do not know the name of the street; it is near the workhouse, I believe, but I really cannot tell you.

5231. Do you know a place called the "Elms"?—A public-house is that.

5232. A large house called the "Elms"?—Where Mr. Ricketts lives.

5233. Yes?—I know the premises.

5234. Was

5234. Was it anywhere there that you canvassed him?—That would be the neighbourhood.

5235. Do not you know the name of the "Herefordshire Arms"?—No, I do not.

5236. You never heard that name mentioned before except in this Committee?—Except in this Committee.

5237. You do not know where it is?—No.

5238. I am told it is the "Herefordshire Brewery;" you do not know it by that name?—No, I do not.

5239. If you said it was at the "Royal Standard Inn," you may have made a mistake?—I take the "Royal Standard Inn" to be the name of the public-house which Knowles kept.

Mr. *Price* explained that Knowles had qualified for the "Royal Standard," but before the election the name was changed to the "Herefordshire Brewery," but on the register it was the "Royal Standard."

5240. Mr. *Powell.*] We are in the locality. I do not care what the name is in which this gentleman called upon him. Where do I understand you to say it was; what street was it in?—I do not know the name of the street; it is impossible to recal the names of all the streets.

5241. By the *Committee.*] Do you know the name of the "Herefordshire Brewery"?—No, I do not.

5242. Mr. *Powell.*] You do not know that?—No.

5243. Then it may have been the "Herefordshire Brewery"?—It may have been. I am not in a position to contradict that.

5244. At all events, is it true that you went to him in the back yard?—It is true that I thanked him in the back yard.

5245. As you entered the house where you saw him, did you enter a passage?—I do not know.

5246. Is there a passage there; did you walk through a room?—I went through so many houses.

5247. This is a special case, to which your attention must have been specially directed. Oblige me by telling me whether, when you went into the back yard, you went through a passage or went through a back yard room?—I cannot say.

5248. At all events, you can tell us whether you saw anybody as you proceeded from the door to the back yard?—I cannot say.

5249. Surely you can tell me whether you saw anybody?—No, it is almost impossible to recal it.

5250. I must ask you: I have a special reason for doing it, and therefore you must pardon me repeating the question. Can you say whether you did or did not see anybody when you went through the house into the back yard?—I could not say.

5251. At all events, it was not on account of drunken persons being there that you went into the back yard?—Not to my recollection.

5252. Will you be so good as to explain why, simply calling to thank the man, you went into his back yard?—Because he called me there.

5253. Was there any reason, so far as you know, for his calling you there; could you not have talked with him at the door?—I do not suppose I met him at the door.

5254. Was there anything to prevent you speaking to the man in the place where you first saw him?—It appears there was.

5255. I am asking you, of your own knowledge, did you see anything at the time that prevented you speaking to him in the place where he came to you?—I did not.

5256. Then why did he call you into the back yard?—You must ask him that.

5257. Do you know why?—No.

5258. Did you say, "Mr. Knowles, I have simply come to thank you, and I have nothing more to say to you than to thank you"?—I have no doubt I did.

5259. If you did, why did you go into the back yard?—I suppose, because he led the way to the back yard.

5260. How long were you in the back yard?—Not a minute.

5261. Then, did you come back again?—Yes.

5262. The same way that you went in?—Yes.

5263. Did you go into the back yard alone, or with other persons?—With Mr. Byrne.

5264. Into the back yard?—Into the back yard.

5265. Was Byrne standing by during your conversation, such as it was, with Mr. Knowles?—Yes.

5266. By the *Committee.*] Was Byrne a sub-agent?—No, he was a volunteer.

5267. Mr. *Powell.*] He was one of your committee?—No, I had no committee.

5268. How came he to be with you that morning; was it morning?—I could not say what time of day it was.

5269. How came he to be with you?—Zeal, I suppose.

5270. He accompanied you into the back yard; his zeal carried him so far?—Yes.

5271. Were there other persons with you when you went to Mr. Knowles?—Mr. James Layton, the brewer, and Mr. Frederick Stroud, the sub-agent.

5272. Who else?—Mr. Byrne and myself.

5273. Was Byrne, then, the only person whose zeal carried him into the back yard?—That was so.

5274. Did you rebuke him, and send him back?—No.

5275. He stood by, did he, during the conversation, such as it was, with Mr. Knowles?—Yes.

5276. Do you know a man named Baldry?—No.

5277. Never saw him?—Has he been called as a witness here?

5278. No?—No.

5279. Did not a man named Baldry accompany you to that house?—No.

5280. Did you never hear the name before?—No.

5281. Do not you know the man I mean?—No, I do not.

5282. Do you know a man who is said to have gone to America?—No, I do not.

5283. Was there not a man of the name of Baldry frequently with you during your canvass; a horsekeeper?—Oh no.

5284. I will only ask you one further question about that, Mr. Schreiber; do I understand you distinctly, sitting in that seat, that you never gave Mr. Knowles any money whatever?—I state that on my most solemn oath.

5285. Or promised it?—Or promised it.

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5286. Or told you anybody promised him?—Or told me anybody promised him.

Mr. *Powell.*] Very good; I accept your statement at once upon that subject.

5287. By the *Committee.*] Will you explain what Mr. Byrne was to you; was he accompanying you constantly?—No.

5288. Or was it merely by chance that day, or was he accompanying you constantly?—No, not constantly; he was a man who took more or less an interest in my election, and I always met him about in my canvass.

5289. Mr. *Powell.*] Did he accompany you from house to house?—When he was with me.

5290. Did he not attend the committee-rooms, or the rooms called the committee-rooms, in Liverpool-place?—That one?

5291. Yes?—I never remember having seen him there.

5292. The rooms in St. George's-street?—I never saw him there.

5293. The committee room in Carlton-street?—That is in the east ward, is it not?

5294. Yes?—No, I never saw him there.

5295. Did you never see him in any rooms called the committee-rooms?—Byrne?

5296. Byrne?—I don't recall ever to have seen him.

5297. But you will not say you have not?—No, I will not.

5298. Were you out canvassing on Saturday, the 1st of July?—I have no doubt I was.

5299. Do you know a place called Bedford-buildings in Cheltenham?—No.

5300. Where Mr. Byrne lives?—

5301. By the *Committee.*] What ward is it?

The *Witness.*] Is it in the middle ward?

5302. Mr. *Powell.*] It is in the middle ward?—Yes, I remember the place now.

5303. Was he not in your company, and also that of Mr. Stroud, in the evening of Saturday, the 1st of July, at six o'clock, at Bedford-buildings?—I could not say; I could not say that he was not, or I could not say that he was.

5304. Did you canvass Bedford-buildings?—I have no doubt; of course I did. I took care to canvass everywhere.

5305. Was Byrne with you when you canvassed Bedford-buildings?—It is his own neighbourhood, most probably.

5306. Have you any doubt he was?—I should not like to say that he was.

5307. Or was not?—Or was not.

5308. Do you know a person named Cooper, in Bedford-buildings?—What is his trade?

5309. A furniture shop?—Oh yes.

5310. Was not Mr. Byrne with you when you called there?—I could not say.

5311. But you won't say he was not?—No.

5312. Do I rightly understand you, that during the whole of your canvass, you kept no book or memorandum whatever of your canvass?—That is perfectly true; I tested very closely the books of the sub-agents, but I kept no book of my own.

5313. Did you mark the sub-agents' books at all?—No, I never used a pencil on their books.

5314. Who was the sub-agent for that ward?—Which ward?

5315. The middle ward?—It was divided into two parts: Mr. Gabb had one part, and Mr. Henry Gabriel Davies the other.

5316. Did you not call with Mr. Stroud and Mr. Byrne to see Cooper, in Bedford-buildings, at Mr. Wall's, the chemist's, at Mr. Barnfield's, at Mr. Spyer's, and at Mr. Hules's?—There are some of them, I know I did not call upon; Barnfield, I never called upon.

5317. Can you undertake to say that Mr. Byrne was not present when you called on all those persons?—Yes.

5318. Was he present when you called on any of them?—I could not say.

5319. Was he out with you every day?—No.

5320. Nearly so?—No.

5321. Frequently?—No.

5322. Was he out with you every other day?—No.

5323. What is the least number of times that you will say Byrne was with you during your canvass?—I should say a part of three or four days, if you ask me.

5324. Do I so understand you to say that you believe by that he was not with you on more than three or four days?—Yes.

5325. A part of those?—Yes; that is to the best of my recollection; I would tell you, if I knew better, of course.

5326. By the *Committee.*] What was he with you for; for what purpose was he there?—As an amateur canvasser, taking an interest in my election; a sort of a casual.

5327. Mr. *Powell.*] What is Byrne?—He is an auctioneer.

5328. He keeps a loan office, does he not?—That I do not know; I have heard it so stated in this room.

5329. Did you never hear that before?—I never heard that before.

5330. Do I understand you that you have never been to his house?—I rather think that I called at his house.

5331. How many times, Mr. Schreiber?—Not more than once.

5332. Are you sure of that?—Yes, quite sure.

5333. Had you called at his office?—Where is his office?

5334. You can tell us?—No, I cannot.

5335. Next door to this very man whom we have been talking about?—No, I never called there.

5336. Did you ever see written up in large letters on a blind, "Loan Office"?—Never.

5337. Neither at his house, nor at his office?—No.

5338. In large gold letters?—No.

5339. On wire blinds?—No.

5340. "Loan Office"?—No.

5341. You never saw it?—No.

5342. Nor heard of it?—No, until it was mentioned in this room.

5343. On each side of the house?—No.

5344. Then you never knew that he kept a loan office?—No.

5345. I am told the words are "Loan Society"; I suppose that makes no difference?—No.

5346. I understand you to state distinctly that throughout the whole of the election you neither gave money to anybody, nor promised money to anybody, nor knew of any money being promised?—That is my distinct assertion.

5347. By the *Committee.*] You never had any communication with Byrne as to procuring any votes for you?—Oh no, never.

5348. Did

5348. Did you ever authorise him to get votes for you in any way?—Never.

5349. Or was he in any way paid as your agent?—No.

5350. Or promised to be paid?—No.

5351. Or authorise any one to promise money for votes?—Did I ever?

5352. Yes?—No, I strictly forbade any approach to anything of the kind.

Re-examined by Mr. *Price.*

5353. I want to ask you about the committee-rooms; you have been asked about committee-rooms; is it the fact that three or four of these rooms were taken on the polling-day, and for the polling-day only; do you know that?—That is so.

5354. You had one in Liverpool-place; I think that was a room you had for some days?—That was a more permanent establishment.

5355. Now, you have been asked about a committee, and we have had a long list put in; was that put in by your authority, or how was it; do I understand you to say you had no committee?—I had no committee.

5356. You had not any committee, Mr. Schreiber?—No, I had not.

5357. Was that list that was printed a list of your voters?—

The *Chairman* stated that the list spoke for itself.

5358. Mr. *Price.*] Now, you have been asked a great deal about this "Royal Standard," or "Herefordshire Arms," or "Herefordshire Brewery;" was the place where you saw him a place where there was a skittle-alley?—Yes.

5359. That was the place, whether it was called the "Royal Standard" or not; you believe it was the "Royal Standard"?—Yes, my belief is that it was the "Royal Standard".

5360. Then I think, with regard to Mr. Skinner, I understand you you called more than once, but only saw him once?—I only saw him once.

Examined by the *Committee.*

5361. How was your election organised; had you a principal agent, Mr. Gwinnett?—My principal agent was Mr. Gwinnett.

5362. Had you an agent for each district?—For each sub-district, appointed by Mr. Gwinnett.

5363. And paid?—And paid.

5364. Had the agents for each district instructions to manage the election for that district?—To canvass for that district.

5365. To conduct the election generally?—That is a question you had better ask Mr. Gwinnett; I gave no instructions except to Mr. Gwinnett.

5366. Were there no other people employed to assist in conducting the election besides those persons?—Not by me.

5367. Mr. Gwinnett did everything?—Yes.

5368. You gave Mr. Gwinnett a general authority to conduct the election?—That is so; I saw that agents did their work.

[The Witness withdrew.

Captain Schreiber, was called in; and, having been sworn, was Examined by Mr. *Cooke,* as follows:

5369. Mr. *Powell.*] Have you been in the room before this morning?—Half a minute just now, when my name was called.

5370. Not before?—Not before.

5371. Mr. *Cooke.*] I believe your Christian name is Francis?—Yes.

5372. You are a captain in the Royal Artillery, at present quartered at Gosport?—I am.

5373. Did you join your brother in his canvass at the last Cheltenham election?—I did.

5374. Can you at all tell us what day you arrived at Cheltenham?—About the 2d or 3d of July.

5375. In the course of that canvass, do you remember accompanying your brother to a man who kept the "Fountain Inn" in the Bath-road; his name is Brinsdon?—I do.

5376. Can you remember who were the party with you and Mr. Schreiber?—The two Mr. Mallarys and Mr. Agg-Gardiner.

5377. Have you seen the man pointed out in this inquiry, as George Powell?—I have.

5378. To your knowledge, did you at all see that man at the last Cheltenham election?—I never saw him till yesterday.

5379. Was that man in company with your brother and yourself at the "Fountain Inn" on the occasion of your calling there?—He was not.

5380. Do you remember on that occasion some remark being made which led to an observation about Colonel Berkeley's supporters learning grammar?—Yes.

5381. Tell me what it was?—On the occasion of going to this public-house, the fact is impressed on my mind by it being the first house we went into where we were received with any discourtesy; and the man, in the course of the conversation, talking with my brother, said, "What do you want here; why don't you go to the borough in Ireland you are trying for?" and knowing my brother had never sought any Irish borough, but only an English constituency, I said to the man, "Colonel Berkeley had better teach his supporters geography."

5382. Upon that were you all going out of the house?—Yes.

5383. Do you remember whether you were with your brother or not on the polling-day?—I was.

5384. What portion of the polling-day were you in your brother's company?—I was in my brother's company the greater part of the day; I never left his company for 20 minutes.

5385. During any part of the day was that man whom you saw yesterday, George Powell, in the fly with your brother?—Certainly not.

5386. Or with you?—No.

5387. Or with a man named Palmer?—I don't know a man named Palmer at all.

5388. Was any person, whose name you did not at that time know, in any fly with you and your brother that day?—A great number of people got in and out of the fly that I did not know, but no stranger remained sufficiently long to impress himself on my mind. The persons stopped and got in, and jumped out again.

5389. No one for any continuance?—Certainly not; no stranger.

5390. Were

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5390. Were you with your brother in the Bath-road on the polling day either walking or driving when Powell was there?—No.

5391. Do you remember, as a matter of fact, one way or other, whether you and Mr. Schreiber were on the Bath-road on the afternoon of the polling-day?—My impression is, not.

Cross-examined by Mr. *Powell.*

5392. I understood you to say you never saw Powell till yesterday?—Never.

5393. You accompanied your brother in his canvass?—Frequently.

5394. Did many persons accompany you that you did not know?—No, not for any time.

5395. Occasionally? — Occasionally there would.

5396. And called at houses with you?—Yes.

5397. You have seen Powell in the room or in the lobby?—Yesterday.

5398. And know the man I speak of?—Yes.

5399. Can you say Powell was never present at any of those places where you called, when you called with your brother?—I can.

5400. Although you have seen him?—He is a man I should remark by his beard.

5401. That you can say positively?—Yes.

5402. Did you ever hear of him before?—Never.

5403. Do you know Mr. Stroud?—Yes.

5404. Was Mr. Stroud frequently one with you in your canvass?—In his ward.

5405. Do you know Mr. Byrne?—Yes.

5406. Was he frequently with you in your canvass in his ward?—I saw Mr. Byrne yesterday, and I recognised his face, but did not know his name till he told me; he is a man I did not know at Cheltenham.

5407. Recognising his face yesterday, can you tell me now how many days he was out canvassing with you?—Very few, I should say; I cannot say how many days.

5408. Shall we say frequently?—I was not there frequently altogether.

5409. How long were you there?—Ten days.

5410. During the greater part of those 10 days was he out with you?—Certainly not.

5411. How many days should you say he was?—I should say at the outside about two, or perhaps three days; I should hardly think that.

5412. Pray who was it that did accompany you to Brinsdon's?—The two Mallorys, Mr. Agg-Gardiner, and my brother; five of us.

5413. Anybody else?—No.

5414. You are quite sure of it?—Positive.

5415. Would you be surprised to be told that young Davis was there?—If you have been told so, you have been told what was not the case.

5416. Do you know young Davis?—I do.

5417. Was he not there?—No.

5418. No other person than the five gentlemen you have mentioned?—No.

[The Witness withdrew.

Mr. James Tynte Agg-Gardiner, was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

Mr. *J. T. Agg-Gardiner.*

5419. You are fortunate enough at present not to have arrived at the age of 21?—Yes.

5420. Did you, nevertheless, feel interested in the success of Mr. Schreiber at the last election?—Very much interested.

5421. And did you sometimes accompany him in his canvass?—Yes.

5422. I believe your father had been an unsuccessful candidate once for the borough?—Yes.

5423. Do you remember going with Mr. Schreiber to canvass a man who lives at the "Fountain Inn," in the Bath-road?—Yes.

5424. Brinsdon?—I do not know his name.

5425. When did you come to London?—I came to London yesterday.

5426. Had you a man named George Powell pointed out to you?—In the lobby.

5427. Did you ever know that man before yesterday, to your knowledge?—Never.

5428. Did you see him taking any part in the election?—I did not.

5429. Was he a man that accompanied you and Mr. Schreiber to that "Fountain Inn" at the time you went there?—No.

5430. Who was the party?—Mr. Schreiber, Captain Schreiber, Mr. Mallory, and his son.

5431. Do you remember any conversation about being turned out of the house?—

The *Chairman* stated that the learned counsel need not go into the conversation again.

Cross-examined by Mr. *Powell.*

5432. Was there no one else?—No.

5433. Do you know young Davis?—I know him.

5434. Did you see him?—Not when we were at the inn.

5435. At this man's house?—No.

5436. Who pointed out George Powell to you yesterday?—Mr. Morgan, I think.

5437. Who is Mr. Morgan?—I think he is Inspector of Nuisances at Cheltenham.

Mr. *Cooke.*] A very proper man.

5438. Mr. *Powell.*] I quite agree in that; is that the Mr. Morgan who petitioned in your father's case?—I don't know.

5439. How do you know that the man who was pointed out to you as George Powell was the George Powell we are talking about?—Because I was informed so at the same time.

Mr. *Powell* applied to the Committee that George Powell might be called into the room again.

Mr. *George Powell* was called, but did not answer.

5440. Mr. *Cooke.*] Should you know the man pointed out to you?—I had only one look at him.

5441. By the *Committee.*] Have you seen him to-day?—I have not seen him to-day.

Mr. *Powell.*] Unless we see that we are talking about the same man, it comes to nothing at all.

Re-examined by Mr. *Cooke.*

5442. Was there anybody in the party when you

you called at the "Fountain" who wore a black beard?—No.

5443. Was the person you were shown yesterday by the Inspector of Nuisances a person with a beard or not?—I don't remember; I think he had whiskers.

5444. Can you remember any other person of your party at the "Fountain" except Captain Schreiber, Mr. Schreiber, the two Mallorys, and yourself?—Not of our party.

5445. Who made use of the words that were spoken on being turned out of the house?—Captain Schreiber made use of the words about geography.

5446. Was it from what Captain Schreiber said that you were ordered off the premises?—I don't know whether that was the cause; we were going out. Captain Schreiber said that in consequence of his rudeness.

5447. Did anyone else speak such words except Captain Schreiber?—No.

[The Witness withdrew.

Mr. *J. T. Agg-Gardiner.*

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THOMAS FORTESCUE, Esq., was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:

5448. You live at Suffolk Hall, near Cheltenham?—In Cheltenham.

5449. I believe you are 86 years of age?—Pretty nearly that.

5450. Was it at your house that Mr. Schreiber and Lady Charlotte stopped during the last election?—Very frequently at the last election.

5451. Did you canvass with Mr. Schreiber at all before the election?—I walked about with him several times.

5452. Do you know a man named William Hands, a chemist and druggist, in High-street?—To the best of my belief I never saw him.

5453. Do you know the place, the shop?—I did not know it; yesterday, out of curiosity, I ordered my coachman to drive to the house.

5454. Had you read a statement in which it was said that you had been there, and had some conversation with the owner of the shop?—Yes.

5455. Did you tell your coachman to drive there to see if you knew it?—Yes.

5456. Had you ever been in that shop in your life?—Never.

5457. You did not know the existence of the place?—Positively I did not.

5458. Did you ever say to Hands, "I believe you are a candidate for the gas inspector's office"?—Certainly not! I have already said that I never saw him to speak to him.

5459. I must ask you, as a matter of legal technical rule, did he say, "I had thought about it, but I had given up all thoughts about it, as a friend of mine, Mr. Williams, I thought would be elected"; did he ever say that to you?—Not a word.

5460. Did you say, "If you can conscientiously support Mr. Schreiber, we can promise you the office"?—It is utterly false.

5461. Have you anything to do with the gas works?—Not the least.

5462. Have you ever seen his wife?—Never, not to my knowledge.

5463. Is it true that she said to you, "What guarantee would Mr. Hands have, if he voted for Mr. Schreiber, that he would have the office"?—It is utterly untrue.

5464. Did you in answer to that say, "My word. We have a majority at the Board"?—It is utterly false.

5465. By the *Committee.*] You do not belong to the Board?—Not the slightest connection.

5466. Is there any other gentleman of your name, connected with the gas works, that you know of?—No.

5467. Mr. *Price.*] Do you remember canvassing a Mr. Skinner with Mr. Schreiber, or not?—I may have done it, but I have no recollection of it.

5468. There was nothing occurred to make any impression on your mind?—Not the slightest.

T. Fortescue, Esq.

Cross-examined by Mr. *Powell.*

5469. Where was it your coachman drove to yesterday?—Having been required to attend here on that affair I thought it right to know, from curiosity, where this was situated. Not knowing the man or anything about him, I was in doubt if the shop existed.

5470. My question was, where did your coachman drive you to yesterday?—My instructions were to drive to the house where it was, and show me, and then come back. He drove there and said, there is the house.

5471. What is the house?—The house he told me belonging to this chemist.

5472. The house the coachman told you?—Yes.

5473. And whether your coachman drove you to Hand's shop or not you cannot tell?—I desired him to do so.

5474. Whether he drove you to Hand's shop or not you cannot tell?—I cannot.

5475. You did not get out of your carriage?—Certainly not.

5476. What street was it in?—It was in what is called the High-street.

5477. What number?—Indeed I cannot tell.

5478. We know there are a great many druggists in the High-street?—There are several; I don't know any great number.

5479. That is a very long street, a mile and a-half?—Full.

5480. Did you canvass during the election?—I went to several people.

5481. That is what we call canvassing?—I mean that.

5482. You have taken a great interest in the Cheltenham elections in your time?—I have.

5483. May I ask you whether, among the persons you called upon, you called on any chemist and druggist?—I should think not; I don't remember any particular chemist.

5484. Among the persons you called on when you were canvassing for Mr. Schreiber, did you call on any chemist and druggist?—It is a large question for me to answer; I don't think I did; I may have done; to the best of my belief, I did not.

5485. In the High-street?—In the High-street.

5486. You may have done so?—Quite so.

5487. Did anybody accompany you in these calls?—I don't recollect anybody in particular.

5488. Did anybody accompany you in the calls you made in the High-street?—My coachman often

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often told me that so and so was a voter, and he said you had better go speak to him, and I did so.

5489. What is the name of your coachman?—James Bolding.

5490. He appeared to be pretty well acquainted with the voters, better than yourself?—A great deal.

5491. Did he take an active interest in the election?—That interest which I have just narrated, of telling me who were the voters.

5492. Did you know that there were some voters on your premises the night before the poll?—No.

5493. When did you first hear of that?—I did not know that there were voters there.

5494. Did you hear that there was anybody on your premises except the ordinary attendants the night before the poll?—Certainly not.

5495. When did you hear of it?—Some days afterwards.

5496. Did you not know of the supper given by your coachman?—Not at all.

5497. Not by your directions or authority?—Not at all.

5498. Are you aware that refreshments were had from your house for that supper?—There was nothing in any way whatever.

5499. Do you remember after the poll was closed sending a message to a man of the name of Lane of Tivoli?—I am positive I never did; to the best of my belief.

5500. The "Tivoli Inn"?—I think not, to the best of my knowledge.

5501. The person I speak of is a grocer and publican, and keeps an Inn in Tivoli?—What is his name?

5502. Lane?—To the best of my recollection I did not.

5503. Did you send a message after the poll closed to anyone to supply beer?—Certainly not; most positively not.

5504. Did you accompany Mr. Schreiber in any of his calls?—Yes, I dare say I did.

5505. Did you ever hear of a man whose name has been mentioned in this inquiry, of the name of Powell?—Not till this inquiry commenced.

5506. You never heard his name mentioned in connexion with the election?—To the best of my belief, never.

Re-examined by Mr. *Price*.

5507. You read an account in the paper of what this Mr. Hands had said?—Yes.

5508. You know that he described himself of No. so and so, High-street?—I only know what I saw in the prints.

5509. What instructions did you give your coachman as to where he should drive you?—

Mr. *Powell* objected to the question.

5510. Mr. *Price*.] Did you ever promise any chemist in Cheltenham, or in High-street, that he should have the gas inspector's place if he would vote for Mr. Schreiber?—Quite false; utterly false.

[The Witness withdrew.

JOHN HENRY MORGAN was then called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

J. H. Morgan.

5511. Do you hold the useful position of Inspector of Nuisances to the town of Cheltenham?—I do.

5512. Did you see yesterday a person in the gallery who bears the name of George Powell?—I did.

5513. How long has that man been known to you?—About three weeks.

5514. Did you see yesterday in the gallery Mr. Agg-Gardiner?—I did.

5515. Did you point out anybody to that young gentleman?—I did.

5516. Who was the person you pointed out to him?—The person George Powell.

5517. The commercial traveller?—Yes.

5518. Who has been brought in and out several times in this Committee?—Yes.

5519. Have you seen that Powell this morning?—I did see him; not to speak to him.

5520. You of course were in Cheltenham at the election?—I was.

5521. Had you noticed Powell anywhere at the election?—I never saw him, nor heard of him.

5522. By the *Committee*.] Did you see him in this lobby?—I saw him at the Alhambra last night, and to day in the lobby. I saw him in the window of some house.

5523. Mr. *Cooke*.] Was the window in a house?—Yes.

5524. In a street?—Yes.

5525. What street?—Craven-street. I was passing by, and saw Powell standing in the window.

5526. By the *Committee*.] About what hour?—From half-past nine to ten this morning.

5527. Mr. *Cooke*.] I hope he looked in good health?—I did not particularly notice him.

5528. Do you know William Skinner?—I do.

5529. The greengrocer?—Yes.

5530. Do you remember meeting him near the "Trafalgar Hotel" a short time before the last election?—About three weeks before the election.

5531. Did he speak to you about the election?—He did.

5532. Did he tell you that he could not afford to offend either party, and that he should remain neuter, as he did in 1859?—He did.

5533. What did he say to you about the election?—I met him, he said, "You are just the person I want to see; this election is coming on, and I have friends on both sides, and cannot afford to offend either. I intend to be neuter, as I did in 1859." I recommended his doing so. He said, "I hope I shall be in a position shortly to speak my mind. You know I am a Conservative, if Mr. Schreiber is pushed I shall vote for him."

5534. Did you offer to treat him?—I did not. He asked me to have a glass of ale, and I refused it.

Cross-examined by Mr. *Powell*.

5535. You are, I believe, a very active partisan in Cheltenham?—I have been.

5536. The petitioner against Colonel Berkeley on the previous occasion?—I did.

5537. Tell

5537. Tell me, if you please, about this man Powell; when did you first hear of him?—After a county court action which took place in Cheltenham a little while back.

5538. How long was that after the election?—I should think five or six months.

5539. After the election?—Yes.

5540. Tell me what month it was that you first heard of the existence of this man Powell?—I never heard of him until after the county court action.

5541. I want to know when that was?—I think it might be the beginning of February, the first or second week.

5542. You never heard of the man or saw him up to that time?—Never.

5543. During the whole of the election you never heard that name mentioned?—I was never aware that such a person was in existence.

5544. When was it you first saw him?—Since that action.

5545. And that was when you heard of him; when did you first see him?—Long since; he came in to Mrs. Alder's porter stores. He was shown to me; he appeared at Mr. Cheshire's office for the Speaker's Warrant.

5546. When?—Subsequently to the county county court cause; subsequently to the presentation.

5547. By the *Committee.*] How long ago was that?—Some period in February or March; March I should think it was; quite March. I took no notes. I did not think it to be of any importance at all; it was a mere passing notice.

5548. Mr. *Powell.*] Did you not tell my friend that it was about three weeks ago you first saw him?—It might be three weeks.

5549. What do you mean by saying February or March?—That is when I heard of him.

5550. You heard of him at the time of the election?—I heard of him in February, and did not see him for a long time after.

5551. I ask you now to swear how long ago it is since you first saw him?—I should say three weeks or a month; I will not go into dates. I took no notice of dates; not the slightest.

5552. Don't you know he lives at Cheltenham?—Recently I have heard that he does.

5553. Do you know Mr. Bubb, the hairdresser?—Yes.

5554. Do you know that he married Mr. Bubb's daughter?—From inquiry, I do.

5555. Do you now say you saw him three weeks or a month ago?—I do.

5556. Where did you see him?—At Mr. Alder's Porter Stores.

5557. In Winchcomb-street?—Yes.

5558. You are Inspector of Nuisances to the borough?—Yes.

5559. Do you know that that man Powell has been a householder there for 10 years?—I do not.

5560. Do you know Windsor Terrace?—I do.

5561. As Inspector of Nuisances is it your duty to acquaint yourself with the condition of houses and property in Cheltenham?—It does not follow that I must know the people.

5562. That is an impertinent answer. Have you not in the course of your duty inspected nuisances in that very place, Windsor Terrace?—I have.

5563. Did you never know that there was a person named George Powell living there?—I did not.

5564. That you swear?—Yes.

5565. Let us have no mistake about it; we are having it taken down. Do you not know that a person named George Powell lived in Windsor Terrace?—I do not remember any George Powell living there.

5566. Do you ever look at the register, as an ardent politician?—I do not; I am not so ardent as that.

5567. How many houses are there in Windsor Terrace?—I should think about 15.

5568. Are there not only seven in Windsor Terrace?—I lived in No. 12 once myself.

5569. How long ago?—Fourteen years ago.

5570. How long is it since you lived there?—About 12 years, I should think; I have been in several houses since then.

5571. Do you mean to swear that you have not looked over the register of voters?—I will.

5572. You swear that you never looked over the register of voters in Cheltenham?—Do you mean every name? I have looked over my own always, to see that my own is right. I never interfere with other people.

5573. You never saw Powell's name in it?—Certainly not.

5574. I am not going to be put off with a whisper?—If you treat me with respect I shall treat you so.

5575. Will you swear you never saw Powell's name on the register?—I will.

5576. Where was it you saw him this morning?—I saw him standing at a window at the "Craven Arms Hotel."

5577. Where have you been staying?—At a private house. I think it is called Northumberland Court.

5578. By the *Committee.*] Near Craven-street?—Yes.

5579. Mr. *Powell.*] Have you seen Powell in the "Craven Arms" since you came to town?—I went there this morning to ask if Mr. Stroud was there.

5580. Does Mr. Stroud stay there?—I believe he does.

5581. You saw Mr. Powell at that house this morning?—Yes; but Mr. Stroud was not there.

5582. When was it you pointed him out?—Yesterday, after my arrival in town.

5583. Where was he?—Standing against the window.

5584. How far was he off when you pointed him out?—A few yards.

5585. Was the lobby as full as it generally is during this inquiry?—Fuller than to day.

5586. Do you think you pointed him out sufficiently for any person you pointed him out to, to know whether he had got any beard or not?—I said that was Mr. Powell; I said that was him.

5587. Do you think it is possible to point out the man we are talking about to the person you pointed him out to, and for him not to know whether he had a beard or not?—I thought so little upon this; I declined speaking to Mr. Gardiner further than saying, that is Powell.

5588. What was your object in pointing him out?—Because he has been so prominent in this affair; his name has been so prominent; that was my object.

5589. Had you any special object in pointing him out?—Only because his name has been so prominent.

5590. Had you any motive in pointing him out to Mr. Gardiner?—No.

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5591. Did Mr. Gardiner ask you to point him out to him?—Yes.

5592. And you are sure you pointed out a man who could not be mistaken as to his having a beard; how many times do you suppose you have seen him in your life?—I have spoken to him twice.

5593. When was that?—Last evening in the Alhambra; he spoke to me, and I replied to him.

5594. Were you not in his company the whole of the evening?—No.

5595. A great part of the evening?—No.

5596. Who went with you to the Alhambra?—A Mr. Saville.

5597. Were you not in Mr. Powell's company last night at the Alhambra?—I was for a short time.

Re-examined by Mr. *Cooke.*

5598. Who went with you to the Alhambra?—A person of the name of Saville; we two had a Hansom cab.

5599. And Powell came up to you?—Yes.

5600. He did not form one of your party?—No.

5601. You have been asked about Mr. Bubb, his father-in-law?—Yes.

5602. Is Mr. Bubb an active supporter of Colonel Berkeley?—Very.

5603. You say, although your duty is to look after nuisances in the streets, you don't trouble yourself with the people?—Very rarely.

[The Witness withdrew.

THOMAS SAVILLE was then called in; and, having been sworn, was Examined by Mr. *Cooke,* as follows:

T. Saville.

5604. ARE you a Fly proprietor in Cheltenham?—I am.

5605. Do you know a greengrocer named William Skinner?—Yes.

5606. And do you reside in the same street where Skinner has his shop?—Yes.

5607. Did you happen to hear a short time ago that he had a Speaker's Warrant?—Yes.

5608. In consequence of meeting him, did some conversation take place between you?—Yes.

5609. Tell us what that conversation was?—I asked Skinner whether he had got the Speaker's Warrant; he said he had.

5610. Two or three weeks ago did you speak to him?—Yes.

5611. Did you say to him, "Is it true that you had 3*l.*"?—I did.

5612. Did he say "I never had a penny, and no one ever offered me any"?—Them is the words.

5613. Did he make any reply to that?—He said he never had a penny, and no one ever offered him any. My remark was, "This is a funny game, some of them will find it out by and by."

5614. Had you heard a report that he had had anything?—I did.

Cross-examined by Mr. *Fitzjames Stephen.*

5615. When do you say this conversation took place?—About three weeks ago.

5616. Where?—Very near my own residence.

5617. In the street, or where?—In the street.

5618. Cannot you fix the day a little nearer than three weeks ago?—No, I cannot fix the day; it is as near as I can tell three weeks ago; we have had two or three conversations on it.

5619. You say it was within the neighbourhood of your house?—Yes, within 50 yards.

5620. In the street?—Yes.

5621. What time of the day?—Between 10 and 11 in the morning.

5622. What day of the week?—I could not say.

5623. How long have you known Skinner?—Many years.

5624. Intimate with him?—Yes.

5625. When you had this conversation with him, was anybody hard by?—No, we were talking by ourselves; he has repeated it to several persons besides me.

5626. Have you heard him?—No.

5627. Who are the several persons?—Mrs. Morgan, who keeps the "Brunswick Arms," she told me so; she said she would not believe it unless he said so.

5628. When did she tell you?—Last Saturday night.

5629. When did you tell about this?—I have talked of it several times; for I have said, rather than this should be done, if I had to walk to London, I would come and contradict it.

5630. You have not had to walk to London?—No; I came by the train.

[The Witness withdrew.

EDWARD FOXWELL BARNFIELD was called in; and, having been sworn, was Examined by Mr. *Cooke,* as follows:

E. F. Barnfield.

5631. ARE you a Grocer residing in Cheltenham?—I am.

5632. Have you been in business now some years?—A great many.

5633. Until the last election, have you been an active supporter of Colonel Berkeley?—I have.

5634. And at this last election, did you vote for Mr. Schreiber?—I did.

5635. Had you given any promise to support Mr. Schreiber until a few days before the election?—I did not.

5636. And had some conduct on the part of Colonel Berkeley and his friends given you dissatisfaction?—It had.

5637. And did you, towards the approach of the polling day, decide on giving your best exertions to Mr. Schreiber?—Not till the Saturday before.

5638. The Saturday before the poll?—Yes.

5639. Is George Powell, whose name we have had very frequently mentioned throughout this inquiry, a person with whom you have been for some time on terms of intimacy?—For years.

5640. We are told that he is a commercial traveller,

veller, and does that take him very much away from Cheltenham?—He is very little at home.

5641. A short time before the election had you conversations with him upon that subject?—I had.

5642. And did you communicate to him your determination of acting against your old friends, the Berkeley party?—I did.

5643. And did you request his assistance in carrying out your plan?—I did.

5644. We have had it stated that he came back to Cheltenham on the morning of Monday, the day before the poll?—He came on the Sunday.

5645. From one of his journeys?—Yes.

5646. By the *Committee.*] That is the day following your determination?—Yes.

5647. Mr. *Cooke.*] The day following the one you had promised Mr. Schreiber?—Yes.

5648. Had you written to him in Scotland?—I had.

5649. Did you expect him in Cheltenham on the Sunday or the Monday?—I did.

5650. Did he see you?—He saw me on the Monday.

5651. Did you communicate to him your intentions as to the election?—I did.

5652. Did you learn from him, one way or other, whether he had made an engagement for either side at that time?—He told me he was offered to be put on as a paid canvasser by Mr. Stroud, but he objected to take it.

5653. What passed between you?—Between me and Powell?

5654. Yes?—He asked me whether I intended to vote for Schreiber. I said I had. He said I promised to vote the way you did; I shall carry out my promise. I said, Very well, I want you to go with me to a certain number of electors whom I know, on the Radical side, who always wait to be bought.

5655. You had a list?—A list made out by myself.

6556. The list being made out before you started?—Yes. I called on several electors.

5657. By the *Committee.*] That is, the electors to be bought?—We knew waited to be bought.

5658. Mr. *Cooke.*] Can you tell us the names of any of those you called on?—We called on Baird, for one.

5659. Is that Powell's letter?—That is Powell's letter to me.

(*The same was delivered in, and is as follows*):

"Liverpool, 4 July 1865.

"My dear Sir,

"Please drop me a line per return to 'Royal Hotel,' Bowness-on-Windermere, and let me know how things are going on, and what day is fixed for the final struggle.

"Yours faithfully,

"*Geo. Powell.*"

"E. F. Barnfield, Esq.,
"Cheltenham."

5660. By the *Committee.*] Did that letter come in that envelope?—Yes.

5661. Mr. *Cooke.*] You said you made out a list of parties whom you had reason to believe would be influenced, and did you go with Powell to look them up?—We did.

5862. Can you tell any of those you so called on?—I cannot tell you all.

5663. Some?—The first we went to was William Baird; then we went to another man of the name of Crew, and a man of the name of Welsh.

5664. Was Byrne with you at any of those visits?—Never.

5665. Was Gibbons one of the people you called on?—Yes.

5666. And did you see the mother and daughter on the subject?—I did.

5667. Was Byrne with you there?—No.

5668. Did you yourself ever accompany Mr. Schreiber in any canvass?—I never spoke to Mr. Schreiber till the Saturday before the election.

5669. Did you, after that Saturday, ever take part with him, or any of his agents in any canvassing?—Never.

5670. Were you ever employed by Mr. Schreiber?—Never.

5671. Did you ever act on any committee?—Never.

5672. Did you ever see Mr. Powell after his return canvassing with Mr. Schreiber?—Never.

5673. Was he acting during that time with you?—Yes, the whole of the time.

5674. In conjunction with you?—He was.

5675. Did you ever have any instructions from Mr. Schreiber's agents to offer money, or pay money to anybody?—Never in my life.

5676. Whatever was done by you, or by Powell by your orders, was it done on your own individual action?—From my own pocket, whatever was done.

5677. And have you made any application to any person to repay you for your exertions, or any outlay you made at the election?—Never.

5678. Or do you expect any?—Never.

5679. Had you any communication on the subject of the election with Mr. Cheshire?—I had.

5680. What was it?—He and Mrs. Cheshire tried to intimidate me; I had a letter to withdraw his trade from my shop.

5681. Mr. *Powell.*] Where is the letter?—You can have it.

5682. Mr. *Cooke.*] Whatever was done by you, was it done on your own account, and to carry out your own views?—It was.

Cross-examined by Mr. *Powell.*

5683. Where are you staying in London?—Opposite Charing Cross.

5684. At the "Craven Hotel"?—At an hotel, not the "Craven"; the "Griffin Hotel."

5685. In Villiers-street?—Yes.

5686. When did you see your friend Powell last?—Yesterday.

5687. Where did you see him yesterday?—In the lobby; I was with him last evening.

5688. In the street?—Yes.

5689. Spending the evening with him?—No.

5690. Have you any idea where he is to-day?—None whatever.

5691. Who is staying with you at the "Griffin"?—Mr. Moss.

5692. Who is he?—A friend from Cheltenham.

5693. Who else?—A person of the name of Knowles.

5694. The Hertfordshire brewer?—I do not know where.

5695. Do you swear that?—Yes; I don't know where he came from.

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5696. The man who has been examined here?—Yes.

5697. Who else?—Mr. Shepherd is stopping there, and a man of the name of Sims is stopping there.

5698. A friend of mine, who was not here when I wanted him?—He has been here.

5699. Anybody else?—A man of the name of Gillett.

5700. Anybody else; your memory is improving?—No, I have got a very good memory.

5701. Who else?—I don't think there was anyone else.

5702. A snug Cheltenham party?—Of course.

5703. Have you been in the "Craven Hotel"?—I have been there; my letters were directed there.

5704. Did you see Powell there?—Yes, I did once.

5705. Mr. Stroud?—No.

5706. You know he is staying there?—Yes.

5707. Who else did you see there?—I don't know that I saw any one else; I only went to fetch my letters; I did not stop.

5708. Who did you see?—I did not see any one of our Cheltenham people.

5709. Now tell me; you and Powell then agreed to bribe any of the Yellows who would take your money?—We agreed to look after them.

5710. To get their votes?—Yes.

5711. And to pay them for it?—If they would not vote without.

5712. You would not give any money to a Blue that would not vote without?—Yes.

5713. That you mean to swear?—Yes.

5714. That you swear?—I would not give any.

5715. You would get it given to him?—No, I would not.

5716. As you were engaged in this pleasant occupation, how much did you spend in that way?—I did not spend but very trifling.

5717. How much was the lowest sum you paid?—I did not pay more than a few glasses of ale myself; I don't know what Powell spent.

5718. How much did you spend?—I may have spent a few shillings.

5719. How much?—I could not say.

5720. You only spent money in giving glasses of ale?—That is all.

5721. How much did Powell spend?—I don't know.

5722. How much; did he get any from you?—No; I told him I would be responsible for all he spent on my behalf.

5723. No limit?—No limit.

5724. I should not wonder if you would not take the trouble to ask him how much it is until this Petition is over?—I have never asked him.

5725. By the *Committee.*] Have you been called on for the money?—I have not.

5726. Mr. *Powell.*] He is a commercial traveller?—Yes.

5727. Living by the exercise of his talents and industry?—I should suppose so.

5728. Has he a wife and family?—Yes.

5729. How were they supported all the time he was neglecting his master's business and attending to the Cheltenham affairs?—He was not neglecting his business; he was at home then; he comes home a day or two occasionally.

5730. How long was he at home?—From the Sunday until the election was over.

5731. You have not paid Powell anything?—I have not.

5732. And he has not asked you?—Nor has he asked me.

5733. You used to be a Yellow?—I did.

5734. You have changed round so completely that you wore a blue waistcoat in the election?—No, I generally wear one; I had it months before the election.

5735. Let me ask you to tell me a few of the voters you went to when Powell was with you; what has become of that list that you gave to Powell?—I do not know.

5736. Did you ever see it after you gave it to him?—No.

5737. You have told us you have a capital memory; tell us who the persons were?—I told you Baird was one, Crews, Butler, Walsh, Gibbons; I cannot remember any others.

5738. By the *Committee.*] How many were in the list?—I should think there were 20.

5739. Mr. *Powell.*] Can you recollect any more?—Not for a moment, I cannot.

5740. Just try; do you know a man named Baldry?—No, I do not.

5741. Do you know him?—Never until now.

5742. What has become of Walsh?—I don't know.

5743. When did you see him last?—I never saw him since the election.

5744. Was Church on your list?—No.

5745. Who did you vote for on the previous election?—Colonel Berkeley.

5746. Who the election before that?—The Yellow party.

5747. You always voted for the Yellow party before this time?—Yes.

5748. And never received a penny for it yet?—Never.

5749. Were you and Powell a good deal about the streets?—Every day.

5750. The High-street and the principal streets in Cheltenham?—Yes.

5751. You are perfectly well known in Cheltenham?—Yes.

5752. As well known as anybody there?—Yes.

5753. How long have you known Powell?—For years.

5754. Is he pretty well known in Cheltenham?—Yes.

5755. He married Mr. Bubb's daughter?—He did.

5756. Who is a very well known man?—Yes.

5757. You did not sneak about from house to house, but went openly?—Yes, I am not ashamed to be seen in Cheltenham.

5758. With Powell?—Yes.

5759. So that you must have been seen together by hundreds of people?—We were.

5760. Who must have known Powell as well as yourself?—I don't know that they knew Powell.

5761. Did you ever encounter any of the other canvassing parties?—Not to my recollection.

5762. Just try and recollect?—I cannot recollect.

5763. Do you know the committee-rooms?—Which of them?

5764. Any of them; there were three?—Which side?

5765. Your new side?—Yes.

5766. Did you and Powell go there?—We did once.

5767. Which was that to?—To the Conservatives.

5768. Which

5768. Which of the three?—The Liverpool-place.

5769. What day was that?—I think it was on the Monday night.

5770. The Monday night before the nomination?—The first day me and Powell went out together.

5771. How long did you stay there?—Not one minute.

5772. What did you go there for?—To a party I went to speak to.

5773. What is his name?—Stroud.

5774. Did Powell go in with you?—He stopped outside.

5775. Did Stroud come down?—He was not there.

5776. Have you been at Mr. Stroud's office?—I have, but not on electioneering business.

5777. Frequently?—Yes.

5778. How many times were you at his office; a month previous to the election?—Never before the election in my life.

5779. You knew him before the election?—Yes, and have spoken to him.

5780. Hundreds of times?—Yes.

5781. Has he ever been to your house?—He came with Mr. Schreiber before the election; he was clerk to Mr. Cheshyre.

5782. By the *Committee.*] When you say "before the election," do you mean before the day of the election, or before Mr. Schreiber declared himself to be a candidate?—Before he declared himself to be a candidate.

5783. Mr. *Powell.*] Do you mean to say that Mr. Stroud has been Mr. Cheshyre's clerk within the last two years?—No, I do not.

5784. Since he left Mr. Cheshyre has he been at your house?—Not until the Saturday when he came with Mr. Schreiber.

5785. That was the Saturday before the election?—Yes.

5786. Are you sure of it?—Yes.

5787. Had you been at his office in the interval?—No.

5788. Had you seen him and spoken to him?—No.

The *Chairman.*] The answer he gave before was that he never saw Mr. Stroud at his office before Mr. Schreiber declared himself to be a candidate.

5789–90. Mr. *Powell.*] When was that; do you mean in 1859?—On this last election.

5791. Do you remember the canvassing beginning in the middle of July?—Yes.

5792. Had you been at Mr. Stroud's before then?—I had not.

5793. Had he been at your house?—Not to my recollection; I can almost positively swear he had not.

5794. Had you seen him anywhere?—I met him in the street.

5795. Did you have any conversation with him?—No.

5796. When did you meet him in the street?—Several times.

5797. Had you any conversation about the election previously to Mr. Schreiber announcing himself?—Not a word.

5798. At any place previous to his coming with Mr. Schreiber?—I never had; I did not know which way he was going to vote.

5799. Did anybody come with him?—Mr. Schreiber.

5800. How long did they stay?—Not above two minutes.

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5801. When you have been about with Powell, have you met Mr. Stroud?—Never, to my recollection.

5802. You say you were about a great deal?—So I was.

5803. Mr. Stroud knows Mr. Powell very well?—Very well indeed.

5804. You had not made up your mind which way you would vote until two days before the election?—Not until the Saturday.

5805. The very day, Saturday, that Mr. Schreiber called on you?—Yes.

5806. Did you make up your mind before or after they called?—I made up my mind a month before, but I never told anyone.

5807. Mr. *Cooke.*] Is that the letter you speak of from Mr. Cheshyre?—Yes. (*The same was delivered in, and is as follows*):—"Cheltenham, 20 Sept. 1865. Dear Sir,—I send you Dr. & Cr. acct., with a cheque for the bal'ce, which I hope you will find correct. Please to receipt a return book. For the present I must decline dealing with you, but have had no occasion to find any fault with your goods or account. I am, dear sir, yours faithfully, *C. J. Chesshyre.* Mr. E. Barnfield."

5808. Mr. *Powell.*] Will you swear when you received that, that that was dated September 1865?—Yes, and a cheque with it.

5809. Where is the envelope?—I have given it to the gentleman; it was not posted; I had a cheque from him at the same time.

5810. Do you know young Mr. O'Brien, the son of Mr. O'Brien, who has been examined as a witness?—Yes.

5811. Have you had any conversation with him about his father's evidence?—Yes.

5812. You know the old man was examined here?—I do.

5813. Have you read his examination in the papers?—I have not.

5814. Has anybody told you about it?—No.

5815. Did you not try to persuade young O'Brien not to come here and give evidence, and offer him money for the purpose?—I never did in my life.

5816. By the *Committee.*] Were you at Mrs. Gibbons' house about the picture?—I went down to Mrs. Gibbons.

5817. Mr. *Cooke.*] Kindly explain what you say happened when you called at Mrs. Gibbons?—We understood she was waiting to be bought by the Liberal party, and we went down.

5818. Did a conversation take place with you and Mrs. Gibbons about the picture?—It did.

5819. And you asked the price of the picture?—No, Mr. Powell asked her.

5820. I understood you to say that Mr. Byrne was not there?—Mr. Byrne was not there.

Re-examined by Mr. *Cooke.*

5821. You have been asked about having been at Liverpool-place on Monday night; was Mr. Powell ever with you in the committee-room at Liverpool-place?—He came to the door with me, but he did not come in.

5822. You went in alone?—Yes.

5853. You went to speak to Mr. Stroud; what was the subject of it?—Not electioneering business at all.

5824. On private business?—Yes.

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5825. Were you at Mr. Stroud's office on any election matter after the Saturday on which you promised Mr. Schreiber your vote?—I never was.

5826. Had you any communication with Mr. Stroud on the subject of the election after the Saturday when you promised to vote?—I never had.

5827. Directly or indirectly?—Neither.

5828. Neither by word of mouth nor by writing?—Never.

5829. Nor with any other agent of Mr. Schreiber?—Never.

5830. We have been told by one of the witnesses that you and Powell were seen in a fly on the Monday; is that so?—We had a fly; that was not on the Monday, that was on the Tuesday.

5831. If anybody has said they saw you and Powell coming out of Schreiber's committee-room except in the way you have explained, is that true?—No, it is not.

5832. You say that hundreds of people must know Powell?—Yes.

5833. I think you told me he is not much in Cheltenham?—Very few days together.

5834. Did you not tell me that Powell was very much away in his business as a commercial traveller, and not much in Cheltenham?—He is away a month or five weeks together.

5835. Just tell me how long Mr. Schreiber was with you, and stayed, on the occasion, on that Saturday, when he called?—Not two minutes.

5836. And you promised him your vote, and he went away?—He did.

5837. Was Powell with you on the polling day?—Yes, the greater portion of the day.

5838. Were you about on the polling day?—I was.

5839. Were you ever, on the polling day, with Powell, in Mr. Schreiber's company?—Never; I never spoke to Mr. Schreiber from the day I promised him up to the present moment.

5840. Was Powell acting with you the greater part of the polling day?—He was.

Examined by the *Committee*.

5841. Was it a Bank of England or a Gloucester note that Powell paid to Mrs. Gibbons?—I do not know; I never see any money pass.

5842. You are aware that, for the offence which you have committed, you are liable to be prosecuted unless you answer every question truly and fully?—Yes, sir.

5843. Now inform the Committee what communication you have had with Powell respecting the acts done by him according to your instructions?—None at all.

5844. Do you mean to say that Powell has not told you anything he has done?—He has not.

5845. After you arranged with him that he was to corrupt these voters, did you never have any communication with him as to what he has done?—No, I never had.

5846. You never asked him?—No.

5847. He has never told you anything?—No.

5848. You do not know how much money he has spent?—I do not know whether he has spent any at all.

5849. Or whether he has spent any?—Or whether he has spent any.

5850. You do not know the amount you are responsible to him for?—No.

5851. Don't you know how much you expect to pay?—No.

5852. Do you expect to be repaid?—No, he has never asked me for a farthing.

5853. Do you expect to pay anything?—No; I should, if he was to call upon me, but he has never asked me; I do not know that he has spent anything.

5854. What do you mean by you don't know that he has spent any money?—I do not think he has.

5855. Do you mean that you don't think he succeeded in corrupting any of the voters?—I do not; they all voted the other way.

5856. Did he succeed in corrupting any of them by getting promises?—No.

5857. What was the cause of your doing this?—Because I had been treated so badly by the Liberal party.

5858. Who do you mean by the Liberal party?—Mr. Cheshire, and the Liberal party; they treated me very ill.

5859. In what way?—On several occasions.

5860. What was it?—One thing was, I put up for a commissioner, and, at the eleventh hour, they brought out another gentleman to oppose me.

5861. A commissioner of what?—Of Cheltenham.

5862. Do you mean to manage the town?—Yes.

5863. Did you lose your election?—Yes, through that.

5864. And you thought you would resent it?—Yes.

5865. By doing these things?—Well, no.

5866. Eh?—Yes, it was.

5867. Did you speak a word to him at all between the period of Mr. Schreiber declaring himself to be a candidate and the election?—No.

5868. You did not have any conversation with him at all about the election?—No.

5869. That you are positive of?—I am positive.

5870. Or with a district agent, or with any agent whatever; do you know who the district agent was for that district?—Yes.

5871. Who was he?—I think it was Mr. Packwood.

5872. Did you speak to him about the election?—No.

5873. Did you ask to be employed as a canvasser?—Never.

[The Witness withdrew.

Mr. William Henry Gwinnett, was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:

Mr. W. H. Gwinnett.

5874. Were you the agent for Mr. Schreiber at the last election?—I was.

5875. What instructions did you receive from Mr. Schreiber at the time you began to canvass?—To carry on the business of the election without the slightest degree of corruptness or impropriety; to carry it on, in effect, upon strictly pure principles.

5876. Now I ask you first, with regard to this general committee list which was put in; you heard

heard my friend, Mr. Powell, open that. It may be just as well for you to explain to the Committee how it was done?—I will. I saw the letter which was put in by Mr. Hale, and I was wholly unaware that I had written any such letter, certainly; when first my attention was called to the fact that a list, headed "General Committee," had been published at all (which it was not with my sanction, as I then believed, though it would appear that it had been, from Mr. Hale's letter), I distinctly countermanded it; and a subsequent list was published, headed, "A List of the Names," or something to that effect, "of the friends and supporters of Mr. Schreiber."

5877. Do you agree with Mr. Schreiber in what he has said, that there was no organized committee for that election?—Certainly, that is so.

5878. And also that, except on the polling-day, there were no rooms engaged as committee rooms, although you had a room at Liverpool-place?—There was but one room popularly called "The Committee Room," and popularly known as the committee-room, and that was at Liverpool-place.

5879. And the other rooms were hired on what day?—On what day I cannot exactly tell; but about the Monday before the election.

5880. That is the polling-day?—That is the polling day.

5881. Who had authority to put anybody down on the list as a messenger, or anything of that kind?—I.

5882. Anybody else?—No.

5883. Now, a question has been put to a witness who has been called, for whom you required a voucher as to whether he had done something; will you explain that to the Committee?—I am not aware that I can give any other explanation than was really given by the party who stated it. The individual case I have no recollection of.

5884. Did you always require to be satisfied before you paid any party?—My practice was to do so. Whenever I had an application for payment, I required a voucher that the work, whatever it might have been, had been done, if it was not within my knowledge.

5885. Did you to your knowledge pay any sum of money away in respect of services, until you were satisfied that such services had been rendered?—I did not.

5886. By the *Committee.*] How many messengers had you got?—I cannot tell you. In the first instance, at the central committee room, we had a limited number; but for the purposes of the committee rooms on the day of polling that number was increased for the purposes of the election.

5887. Mr. *Price.*] Now I will ask you a question with regard to the accounts. There is an item for canvassing agents; will you tell the Committee whom you employed as canvassers at the election, what was the class of gentlemen whom you employed?—Almost all of them professional men, solicitors; but there were two or three exceptions.

5888. I am not now asking you with reference to the item of canvassing agents. I wish you now to explain the class of agents. Will you explain who were the canvassing agents who were appointed by you?—Solicitors for the most part; but on this occasion there was rather a scarcity of solicitors, and there were two or three other persons. I have been engaged in previous elections, and solicitors have been always employed as canvassing agents. On this occasion there was a difficulty with regard to filling up some of the districts, and other than professional men were employed.

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5889. Tell us exactly what they were paid for; how many of them, and for how many days?—There were 11 canvassing districts. The town is divided for municipal purposes for the purpose of local improvements, into five wards. One of those wards, the East Ward, was divided into three canvassing districts, as it is a large one; another was divided into two canvassing districts, and the three remaining wards were divided into two districts each.

5890. How many had you as paid agents altogether for those different days?—Eleven.

5891. At how much a day?—At two guineas a day.

5892. For how many days?—For generally, I think, 21 days.

5893. Is that a correct account of your expenses (*handing the summary of the account which had been handed in to the Witness*)?—Yes.

5894. Mr. *Price.*] Are you prepared to swear that you did not employ any other persons?—None, except those in that account.

5895. Nobody had authority to canvass except those?—No one had authority to canvass except those who were appointed or sanctioned by me.

5896. Had Mr. John Laurence any authority to appoint messengers?—He had not.

5897. May I take it in this way that if Mr. Lawrence told you that a person had worked, you would have paid him on Mr. Laurence's statement to that effect?—I should.

5898. Was Mr. Cockrell authorised or employed to act as an agent in the election at all?—He was not.

5899. Now Mr. George Powell; do you remember seeing that gentleman before in your life until you saw him in this room, that you know of?—I think I saw him first in the lobby here.

5900. Had you before this inquiry, to your knowledge, seen George Powell before?—Certainly not. When I say "Certainly not," I say certainly not, to the best of my recollection and belief.

5901. You have no recollection of seeing him?—Not the slightest.

5902. Having been, as you were, at the Liverpool-place committee-room pretty nearly daily, did you ever see that man, to your knowledge, at those committee-rooms?—Certainly not.

5903. As far as you know, was he engaged in any way to act on behalf of Mr. Schreiber?—Most certainly not.

5904. You went through the canvass pretty well; I must not ask you what the result was, but do you agree with Mr. Schreiber that you went very carefully through it?—I did go through it very carefully, certainly.

Cross-examined by Mr. *Fitzjames Stephen.*

5905. I understand you, Mr. Gwinnett, to say that you had 11 canvassing agents?—Yes.

5906. Who were solicitors?—Not all.

5907. For the most part?—Principally.

5908. At two guineas a day each?—Yes.

5909. And who were employed for 21 days?—Yes.

5910. Would 21 days be the outside time for which they were employed. None of them would

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would be employed for more than 21 days?—I am not quite sure whether that was the case in every instance.

5911. Twenty-one days would be the full average?—The full average.

5912. You would not be in any danger of understating it?—I should think that many of them were paid for a day or two more, and some of them for a day or two less.

5913. That is, within a day or two?—Quite so.

5914. That would be 462 guineas. The amount for canvassing agents that you have returned here in a lump sum is 694*l.*; how will you explain that?—You will kindly add 150 *l.* for myself and my partner, that being the ordinary fee in Cheltenham.

5915. I have now added 150 *l.* for yourself and your partner; that makes 612 guineas; how do you make out 694 *l.* 17 *s.*?—I have told you that some may have been a little more, and some may have been a little less.

5916. 630 *l.* 12 *s.* from 694 *l.* leaves something over 60 *l.*?—It does; I really cannot say how that is; I am sure that that account is correct in respect of the payments.

The *Chairman* stated that the Committee were of opinion that it was not worth while pressing this.

5917. By the *Committee.*] We understand you to say that the account represents payments made by you, to persons employed at the election as agents?—Certainly.

5918. In one way or other?—Certainly.

5919. Mr. *Fitzjames Stephen.*] Could you favour me with the names of those 11 gentlemen?—Yes, I think I can; I will take the wards geographically: Mr. Ridge, Mr. Tanner, Mr. Packwood, Mr. Stroud, Mr. Russell, Mr. Bubb.

5920. Mr. *Price.*] Not the hairdresser?—Not the hairdresser; Mr. Darby, Mr. Gabb, Mr. Davis, Mr. Jones, and Mr. Mallory.

5921. Senior or junior?—Junior.

5922. Mr. Davis, is he senior or junior?—Junior.

5923. Have you any recollection of a man of the name of Charles Wood who was employed as a messenger?—Charles Wood?

5924. Yes: he says your clerk paid him 7 *s.* 6 *d.*?—None whatever.

5925. Of Kingston Cottage, Cheltenham, photographer?—I don't know the man at all; I saw him examined; until that, to the best of my recollection, I never saw the man. I have had nothing whatever to do with him.

5926. You are under notice to produce your books; have you got your books here with the account of the election expenses?—Yes.

5927. And the prices and vouchers connected with it?—Yes, except such papers connected with the election as are handed in.

5928. Will you produce the book from which you made out that summary of yours. Were all the election accounts in their details kept in one book?—No.

5929. Were they kept in a variety of books?—In a variety of papers.

5930. Have you got the whole of them here?—I believe so.

Re-examined by Mr. *Price.*

5931. Is there anything in those books or papers that you are in the least afraid of being seen?—Not the slightest.

5932. Whatever were the amounts paid, was there one single shilling of that which was expended for canvassing agents to your knowledge for the purpose of corrupting the vote or bribing the vote of any one of those persons?—I believe not; not to my knowledge.

5933. Were they gentlemen whose votes could be bought by employing them as agents?—Who?

5934. The canvassing agents themselves?—No.

5935. By the *Committee.*] Were the messengers and the watchers voters?—No, hundreds of them, I was going to say, were not voters. With regard to the watchers I should not think there was a voter among them.

5936. Mr. *Price.*] What was the necessity for watchers; that has never been explained?—I should have no difficulty whatever in giving an explanation of that.

The *Chairman* stated that the Committee were of opinion that that was not necessary.

5937. Mr. *Price.*] I understood you to say that nothing in anything like a proportion were voters among the watchers?—Among the watchers I do not think there was a voter.

5938. The messengers?—Some of the messengers were voters and some were not.

5939. Did they do any work?—Most undoubtedly, if I had seen a man at the central committee-room who was not doing his work, or whom I had any reason to suppose was not doing his work, he would have been instantly dismissed.

5940. Can you give the Committee any idea what proportion of the messengers were voters, and what proportion not voters?—I do not think I ought to state an opinion beyond this, that I believe that the considerably lesser proportion of them were voters; that the majority of them were not voters. I am not now speaking of the night and day watchers, because I believe there was not a voter among them.

[The Witness withdrew.

Mr. Robert Mallery called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

Mr. *R. Mallery.*

5941. You reside in Cheltenham?—I do.

5942. I believe you were formerly in business, but are now retired?—Yes, that is so.

5943. Did you take an active interest on the part of Mr. Schreiber, at the last election?—I did so.

5944. Do you remember going with the honourable member to canvass a man named Brinsdon at the "Fountain Inn"?—I do.

5945. Can you tell us who were with you on that occasion?—Mr. Schreiber, Captain Schreiber.

The *Chairman* stated, that the Committee did not require any further evidence about this.

5946. Mr. *Cooke.*] Was George Powell, the man who has been named, mixed up with you?—Certainly not.

5947. Eh?—I do not know any Mr. Powell.

5948. Have you had him pointed out to you?—Some one in the lobby yesterday was pointed out to me as Mr. Powell; I never saw him before yesterday.

5949. You

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5949. You never saw him before yesterday?—Never.

5950. Did that man to your knowledge take any part with you and the other gentlemen in Mr. Schreiber's election?—Certainly not.

5951. He was not with you at the "Fountain"?—No.

5952. Nor anywhere else?—No.

5953. The man who was pointed out to you as Powell, yesterday?—He was pointed out to me in the lobby yesterday.

Cross-examined by Mr. *Fitzjames Stephen.*

5954. Did other persons join your party while you were canvassing?—There were four or five. I was stopped in telling who joined me that day.

5955. There were two Mr. Schreibers, yourself, your son, and Mr. Gardiner?—Yes.

5956. Did not other people add themselves on to the party as you were going about?—Do you mean on that particular day, or at any time during the election?

5957. Was it not a common thing during the election for persons to join you?—No. I think Mr. Schreiber and myself were chiefly together, but on some occasions Mr. Gardiner and Captain Schreiber were with us. I do not mean to say that no one else remained with us during the time. Mr. Davis was once with us, and I think Mr. Whatman was once with us.

5958. Was any person whom you did not know?—Certainly not; every person I saw during the election, and who took an active part during the election, I knew.

5959. What district were you canvassing; were you confined to one district?—To the upper part of South Ward, chiefly.

[The Witness withdrew.

GEORGE NICHOLLS, called.

The witness did not appear.

Mr. FREDERICK STROUD was called in; and, having been sworn, was Examined by Mr. *Cooke*, as follows:

Mr. *F. Stroud.*

5960. ARE you a Solicitor in Cheltenham?—I am.

5961. Were you agent for Mr. Schreiber at the last election?—I was.

5962. We understand you had some subdistrict put under your care?—I had.

5963. Some part of the North Ward?—The lower part of the North Ward.

5964. First of all I will ask you this: Did you directly or indirectly authorise anybody to pay any money to any voter to induce him to vote for Mr. Schreiber?—I did not.

5965. Did you employ a person named George Powell, on the polling day, to canvass voters?—I did not.

5966. Did you authorise George Powell in any way to canvass voters?—I did not.

5967. Was George Powell engaged by you to take any part in the election on behalf of Mr. Schreiber?—He was not.

5968. How long has he been known to you?—I should think two years.

5969. I believe you did canvass him for his vote?—I asked him for his vote.

5970. What was his first reply?—He first of all said he could not make up his mind.

5971. He is a man who goes on journeys?—He does.

5972. Did you lose sight of him for some weeks, till the Monday before the polling day; did you meet him again then?—I met him again.

5973. Did you learn from him that he had just returned from Scotland?—I did.

5974. Did you learn from him that he would vote for Mr. Schreiber?—Yes; he said he would; he said he would before.

5975. How long before?—Before he went to Scotland. I do not know whether it was Scotland; before he went out of town.

5976. We always understood that he went to Scotland?—Well, I do not remember.

5977. Did you either before he went to Scotland, or when he came back, give him any employment connected with the election?—I did not.

5978. Did you have any conversation with Powell with regard to the vote of a person named Baird?—No.

5979. Did you ever on Powell's suggestion canvass Baird?—No.

5980. Did Powell come to your office and ask you to wait in your office while he went to speak to Baird?—No, he did not.

5981. Did you ever see Powell from your balcony?—No, I did not.

5982. Is the street where you live one of those streets in Cheltenham which are full of balconies?—Yes; I have four balconies to my house; I have a balcony to each window.

5983. It is an ornament peculiar to that fashionable watering-place?—Yes.

5984. Do you remember calling on Baird one day?—I do.

5985. Do you go by the house where he is?—Yes, I do not pass it exactly, it is a few yards to the left, as I go up.

5986. You heard what Baird said; have you any recollection of calling, on the day that he mentioned, on Baird?—Yes, I believe I did.

5987. Did you do so on any previous occasion with George Powell?—No.

5988. You were going home to your dinner, were you not?—Yes, I remember it very well.

5989. From that day to the Monday, when Powell arrived from Scotland, till the election, had you any arrangement directly or indirectly with him as to the voters?—No, certainly not.

5990. Do you know of his position with Mr. Barnfield?—He mentioned to me his friend, Mr. Barnfield.

5991. Do you know whether Barnfield himself made any agreement to look after voters?—Yes.

5992. We understand that you called upon Mr. Barnfield, with Mr. Schreiber, on Saturday?—I did.

5993. And got a promise from him?—Yes.

5994. Either then or afterwards had you any communication with Mr. Barnfield as to securing votes?—No.

5995. Did Mr. Barnfield ever let you know that he was doing it?—No.

5996. Did you know of the existence of any arrangement

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arrangement between Powell and Barnfield?—No, I did not.

5997. I want to ask you about a man named Skinner; I believe you have your books here?—I have them in Court.

5998. Is it the fact that he owed you 3 *l.* at the time of the election?—No, he did not owe me 3 *l.* at the time of the election.

5999. Did you ever promise him that you would forgive him that 3 *l.*?—I did not.

6000. By the *Committee.*] Explain it?—Perhaps I may say this. I was engaged by Skinner to defend a case of Skinner *v.* Eyres, that is the man he mentioned. I was first engaged in that case somewhere about the month of February 1865, and it lasted until the following April. There were two or three hearings in the County Court, and my fee in that case was three guineas to him, in addition to the costs which I recovered from the plaintiff, against whom I was successful. That three guineas he paid me on the 10th of March. The question involved in that case was a question of disputed account, and in consequence of the County Court judge having given judgment in favour of the defendant, he instructed me to bring an action against Eyres, which I accordingly did. I sued out a plaint, the court fee of which was a guinea, but on the 9th of June 1865 the plaintiff paid me that guinea costs out of pocket. Before the case came on for hearing, the parties settled their disputes, and the consequence was, there was only my fees. These are the County Court taxed fees: "Letter before action, 3 *s.* Instructions to sue, 5 *s.* Drawing particulars and entering plaint, 10 *s.*," leaving a balance of 18 *s.* That was due to me at the time of the election.

6001. Did you ever say to him if he would vote for Mr. Schreiber, you would forgive him the sum of 3 *l.*?—No, certainly not.

6002. Did you make any promise to him to forgive him any sum?—No, certainly not.

6003. Afterwards did you conduct some other proceedings for him at Gloucester?—I did; I was instructed in that case originally by Mrs. Price.

6004. We need not go through the history of that?—She paid me my extra costs. She was also concerned against a man of the name of Hemming. The indictment I was instructed to appear in on behalf of Skinner, was an indictment for obtaining money under false pretences. I conducted it for him. There was a sum of 11 *s.*, part of the county allowance which was allowed for Skinner's attendance as a witness. I have retained that money on account of the 18 *s.*

6005. You have retained the 11 *s.* on account of the 18 *s.*, so that there are 7 *s.* due to you?—Seven shillings due to me at this moment.

6006. Did you ever communicate to Mr. Schreiber that that man was in any way indebted to you?—Certainly not.

6007. Or that any arrangement had been made between you and Powell to secure his vote?—No.

6008. By the *Committee.*] Did you ask him to go out of town, and not vote at all?—No; the explanation of that is just this: I said to him, "Well, I should like you to vote for Mr. Schreiber." He said something, making the same excuse that he has in this room, that he had friends on both sides, and did not want to offend either. I said, "If you do not vote for him, I hope you will not vote against him." He said, "Well, I think I shall go away, I think I shall go out of town." I said, "Perhaps that was the best thing you could do, if you do not wish to vote for either party."

6009. Mr. *Cooke.*] You did not offer him money?—No.

6010. You made no promise of any kind?—No.

6011. You did not offer him money, or make any promise to him of any kind to go away?—No.

6012. Was Powell ever at the committee-room with you on the polling-day?—Not to my recollection.

6013. Where were you on the polling-day?—I was attending at the North Ward committee-room.

6014. Were you in that room the day of the polling?—I was.

6015. Was Powell, during the election, with you there?—No.

6016. Did you send any message to him?—No, that I did not.

6017. Or receive any information from him?—No.

6018. Did you give any authority to Mr. Byrne?—No.

6019. Was he in any way a sub-agent of yours?—Certainly not.

6020. What did he do in the matter of canvassing?—Well, Mr. Byrne is a friend of mine, and he occasionally joined me when I went canvassing.

6021. By the *Committee.*] How often did he go with you?—I could not say how often; he came whenever he could, I believe.

6022. How many days?—Well, sir, I certainly could not remember.

6023. Mr. *Cooke.*] Your name is mentioned in the bribery list against 16 voters; is it true that you offered bribes, or made offers of money in any way to those 16 voters?—In no shape or form did I ever pay, or sanction any payment to anybody, except that little matter to Mr. Allen, and that I did without the slightest corrupt intention whatever.

6024. By the *Committee.*] What was that for?—Railway expenses. I did that in the pressure of business one morning.

6025. Mr. *Cooke.*] Were you retained, Mr. Stroud, at the beginning of the regular canvass?—Certainly; I met all the other agents at Mr. Ridge's office.

6026. Is there any truth in the statement that you were only sent for after the canvass had been proceeded with?—Clearly not; from the very first it was very well known that I should join the Conservative party.

Mr. *Fitzjames Stephens* applied that the cross-examination of the witness might be reserved until Mr. Powell came in.

The *Committee,* after waiting a short time, stated that Mr. Fitzjames Stephens must proceed.

Cross-examined by Mr. *Fitzjames Stephens.*

6027. You have been telling us about Baird, that you did happen to call on him that day as you went home to dinner?—I did.

6028. May I ask what you called upon him about?—I called upon him about his vote.

6029. How long was your conversation with him

him about his vote?—I should think, perhaps, five or ten minutes.

6030. What was the general result of it; what did he say?—I understood him to say he would vote for Mr. Schreiber; that was the result.

6031. You understood he said so?—That is what I gathered from him.

6032. He did not pledge himself positively, I suppose?—He said, I shall vote for Mr. Schreiber.

6033. You say you know Powell; I think you had had professional business with Powell?—I had.

6034. Had you any professional business with Powell about that time?—I had.

6035. Did you see him that day?—I will not be sure; I do not think I did.

6036. Can you undertake to speak positively about it?—That is my answer, that I will not be sure; I do not think I did.

6037. I suppose it is the fact, is it not, that the balcony of your house does command Mr. Beecroft's shop, where Baird is?—I doubt whether it does; there is a row of balconies up the street, and whether any of mine commands Mr. Beecroft's shop, I really could not say. Mr. Beecroft's shop is at an angle with my office window.

6038. At all events, they are very near together?—They are; I should think about 50 yards apart.

6039. Of course the balcony would come forward some distance into the road, so that a person standing there would see into the shop?—You are calling it a balcony, but it is about the width of this table (*pointing to the short-hand writer's table*). There is a window here and there is a sort of semicircle comes in that way (*describing it*).

6040. It is a kind of bow window?—Yes.

6041. At all events, large enough for a person to stand in, and look down the street?—Clearly.

6042. Where had you been that day before you came home to your dinner; had you been engaged about the election?—Yes; I remember very distinctly what I was engaged about.

6043. I suppose it was something advantageous to yourself, so I shall not ask you what it is. Your memory will not serve you as to whether or not you did see Powell that day?—Well, I have given my answer, and really I cannot say anything else.

6044. I suppose, like other solicitors, you keep a diary as to business?—Yes.

6045. Have you consulted that diary as to whether you had any conversation with Powell?—No.

6046. Now, with respect to Skinner, you did have some conversation with him, in which you advised him, if he did not wish to vote, to go out of town?—No, pardon me, I did not advise him; that was his own suggestion, and, of course, I was not going to make any demur to it.

6047. You gave it as your opinion that that was a desirable course?—My opinion was that if he could not vote for Mr. Schreiber, the next best thing he could do was not to vote against him. That was my opinion; I did not care how he carried it out.

6048. There was a conversation about his going out of town at the time?—He suggested something of the sort; I believe he said he had done so at the previous election of 1859.

6049. Did Baird say anything to you about the circumstances in which he was placed?—I think he said something about his rent, and he felt very much disposed to do as I wished him, to vote for Mr. Schreiber, but he felt a difficulty about it, because his landlord was a Radical, and would very likely distress him if he did.

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6050. He mentioned this to you?—Yes.

6051. And that was all that took place?—Then of course it was my business to set to work and try to reason him out of such an unreasonable view.

6052. What arguments did you suggest?—I will give you one argument. One argument I used was this: I know Mr. Winterbotham perfectly well. I think he is a very fair man. He will not do anything of the kind.

6053. You know Mr. Winterbotham?—Yes.

6054. You thought his fears were groundless?—I most unquestionably did and do.

6055. That was all that passed?—Something like that.

6056. Did you not give him a little consolation as well as argument, that if the man was in distress, under such circumstances it might not be quite so bad?—No, I did not.

6057. You did not try to diminish the evil in case there was a pressure put upon him?—Oh no.

6058. Or point out that there was any means of alleviating it?—Certainly not; I only met it by what I thought were fair and legitimate arguments.

6059. You say you had no committee?—No.

6060. But you had what was popularly called a committee-room?—Well, sir, the system was this: there was a committee-room at Liverpool-place, for the purpose of the polling-day only, to the best of my knowledge. There were district committee-rooms engaged.

6061. You were not concerned with the general management of the election?—I never was in a district committee-room except on the day of the polling.

6062. How often used you to go out canvassing with your friend Mr. Byrne?—As I have told the Honourable Chairman, I went out several times.

6063. Did he give you information about how people were likely to vote, and so on?—Yes.

6064. Used you to consult with him about how people were to be got hold of, and persuaded, and so on?—No, I do not think I consulted him much.

6065. Not much?—Well, I did not consult him at all; he joined me when he could.

6066. And sometimes you would go and talk with him about how matters were going?—No; I do not remember seeing him, except when he has been with me.

6067. Did you ever come into communication at all with Mr. Schreiber personally?—Yes.

6068. Yourself?—Yes.

6069. You went canvassing with him in the streets?—Yes.

6070. Who was present on the occasions when you were canvassing with Mr. Schreiber?—I usually met the candidate at the committee-room, and walked with him.

6071. You went into the street?—When one begins one's canvassing, if one meet with an influential man, one asked him to join one, that was all.

6072. Can you tell me who were generally in the habit of joining you on these occasions when you went about with Mr. Schreiber?—No, I do not remember anybody particularly.

6073. Used

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6073. Used you to go three or four together?—Yes.

6074. There were many persons whom you did not know?—Very often there were. The ward was one that I knew very well, and the people in it. I walked home on this occasion.

Mr. *Powell*, with the permission of the Committee, here took up the cross-examination.

Cross-examined by Mr. *Powell.*

6075. Now, just tell me, how long have you known Powell?—I have said—about two years.

6076. When did you see him with reference to this election?—I met him, I think it was, on the Monday before the election.

6077. Had you spoken to him about the election before?—I had.

6078. When was that?—That was very nearly a fortnight previously.

6079. When did you first speak to him about the election?—When I first spoke to him was, I should think, about three or four weeks before the election.

6080. Where was that?—In my office.

6081. What brought him to your office?—He came about matters of business.

6082. What business?—I think it was Mr. Payton's business.

6083. Mere ordinary business?—Yes.

6084. You spoke to him then?—Yes.

6085. Did you not discuss with him the question whether he should be a canvasser for Mr. Schreiber or not?—Not at that time.

6086. When did you first do that?—I asked him upon the first occasion whether he would vote; he said he had not made up his mind. He called on me again with reference to some money. He said the other side had offered him a position as a canvasser.

6087. A position as a canvasser for Colonel Berkeley?—I said to him, "You would not have time for anything of that sort;" and he said, "No."

6088. Do you mean to say that nothing was said on that occasion about his being a canvasser for Mr. Schreiber?—Not to my recollection.

6089. You are an attorney, Mr. Stroud, and I cannot be put off with your recollection. Will you swear at that interview nothing was said about his being a canvasser for Mr. Schreiber?—I cannot recollect that there was.

6090. You will not swear that there was not?—It is difficult, at this distance of time, to say.

6091. Will you swear at that time that there was nothing said about his being a canvasser for Mr. Schreiber?—I believe there was not.

6092. Will you swear there was not?—No, I won't; but that is my belief.

6093. When did you see him next?—On the Monday previous to the election.

6094. What passed then?—He told me he had returned, and asked me how the election was going on. I told him "All right"; I thought Mr. Schreiber would win.

6095. Was anything said on that occasion about his being a canvasser?—No.

6096. Will you swear it?—Yes.

6097. Was anything said about his being employed during the election?—Yes, I think there was.

6098. By the *Committee.*] When was this?—On Monday.

6099. Mr. *Powell.*] Now, tell me what was said about his being employed?—I think I had written something; I believe I had written him.

6100. You think you had; have you the slightest doubt in the world about it?—I believe I had.

6101. Had you any doubt that you did?—No doubt.

6102. Like other attorneys, you no doubt keep letter books?—Yes.

6103. Let me see your copy of it?—I have not got it.

6104. Why not?—Because I have had no notice to produce it.

6105. You have had no notice to produce it, and therefore, as Mr. Schreiber's agent, you do not produce it without notice?—I had no idea I should be called on.

6106. You have got a copy letter book which has got the copy of a letter, which you wrote to Powell?—I think not.

6107. Will you swear that you made no copy of the letter which you wrote to Powell?—Well, no, I won't.

6108. Do you not know you did make a copy of it, or cause one to be made?—No, I do not remember.

6109. You will not swear you did not?—No, I will not.

6110. Will you swear you have not seen a copy of that letter since you sent the letter?—Well, no, I won't.

6111. You won't do that?—No, I won't.

6112. Do you not know that you made a copy of the letter before you sent it?—I will tell you if you will show me the letter.

6113. You know me too long to think that I am going to be put off with such twaddle as that; attend, sir?—Well, I am attending; you are asking me about a letter.

6114. I am asking you about when you last saw the copy of that letter?—

6115. By the *Committee.*] Come, Mr. Stroud, you must know very well whether you have got a copy of that letter or not?—No, sir, I believe I have no copy of the letter by me.

6116. Mr. *Powell.*] By you?—No.

6117. Nobody supposes that you had, Mr. Stroud, who knows you?—No.

6118. When did you last see the copy of it?—Well, I don't know.

6119. Try and recollect?—Where did I last see the copy of the letter?

6120. Yes?—In the first place, I should like to see the letter, and then I could tell you.

6121. That is no answer to my question; I am not to be put off by that. When did you last see a copy of that letter?—As I tell you, I cannot tell.

6122. You cannot tell?—No, I really cannot.

6123. Was it a month ago?—No, I have not seen a copy of that letter anything like a month ago.

6124. Was it two months ago?—No.

6125. Was it three months ago?—No.

6126. Was it four months ago?—No.

6127. Was it five months ago?—I cannot tell whether I saw it so long ago as that.

6128. Will you swear that you have not seen a copy of it?—No, I will not.

6129. Will you swear that you have not got a copy of it in your office?—Well, I believe I have not.

6130. Will you swear you have not?—Well, I don't know; I dare say I have.

6131. You

6131. You dare say you have?—I may.

6132. By the *Committee.*] Can you say whether you have got a copy or not?—I do not know.

6133. Did you destroy your copy?—I am not sure.

6134. Did you burn it?—I am not sure.

6135. Could you have burnt it without knowing it?—I might have done so.

6136. Mr. *Powell.*] Do you mean to tell the Committee that you may have burnt that letter without knowing it?—Yes, I do.

6137. Do you think you did?—Well, I think I did.

6138. When?—That I cannot tell you; I cannot say.

6139. When did you destroy it?—I know very well I intended to destroy the copy.

6140. When did you do it?—As I tell you, I cannot tell you.

6141. What did you mean just now by saying that you might have a copy of it in your office?—Why, in this way; I may have intended to do it and not have done it.

6142. Did you do it?—I cannot be sure whether I did or not.

6143. What is your belief?—My belief is that I did.

6144. When?—As I tell you, I cannot say.

6145. Why?—Because it (*pausing*).

6146. Go on, finish your answer; because what?—I will tell you; don't be in such a hurry; the fact is, there had been a great deal of talk about Mr. Powell, and there was this letter in existence, and I did not see why this letter should remain for folks to see what passed.

6147. I see?—That is exactly it.

6148. Now, I dare say, remembering that, you remember that you did destroy it?—No; I say I don't remember.

6149. Do you mean to swear that you, not seeing why people should see that letter, you don't know whether you destroyed it or not?—That is what I say; I say that my intention was to destroy it.

6150. By the *Committee.*] And you believe that you have destroyed it?—I believe I have destroyed it.

6151. Mr. *Powell.*] If you believe you have destroyed it, how do you believe you destroyed it?—I only say that I believe, as it was my intention; what I intend to do I generally do.

6152. We recollect our acts better than our intentions?—Well?

6153. When do you say the letter was written?—I cannot say now.

6154. But about?—Some time in the month of July.

6155. How long after writing the letter was it that you saw Powell. Where was the letter sent to?—I really cannot say; I tell you why I cannot say that; he was on his journeys, and sometimes I had to write to him to one place, and sometimes to another.

6156. By the *Committee.*] Who did you give the letter to. Did you direct it and send it by post?—By post.

6157. And not by any one to forward?—No.

6158. Mr. *Powell.*] He was on his journeys, going from place to place?—Yes.

6159. You must have heard from him to know where to address the letter to him?—Well, before he had gone he told me where he should be found, in order that I might communicate to him in reference to any matter of business that I might have to write to him upon.

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6160. And is that the reason why you cannot remember where you sent it to?—Quite so.

6161. How soon after you had written the letter did you see him?—Four or five days, I should think.

6162. And did he remain in Cheltenham from that time until after the election was over?—From the Monday.

6163. It was the Monday you saw him after writing the letter?—It was on the Monday previous to the election.

6164. You wrote the letter to him; he comes on the Monday previous to the election, and does not go back until the election is over?—That is it; I don't know when he returned.

6165. Where was it you saw him on the Monday?—It was in the street.

6166. Where?—In the High-street somewhere.

6167. Did he come to your office?—No.

6168. Did you go to his house?—No.

6169. Not when you had written a letter to him?—No, I met him in the street.

6170. Perhaps near your office?—I think it was.

6171. As he was coming there?—Very likely.

6172. Where did you go with him?—Nowhere.

6173. Did you stay and speak to him in the street?—Yes.

6174. What time in the day was this on the Monday?—I think it was Monday morning.

6175. I dare say you know what time in the morning?—I cannot say; it was the morning.

6176. What time?—To the best of my recollection, somewhere about 10 o'clock in the morning.

6177. Coming to your office?—Yes.

6178. Did you see him the rest of that day?—No, I think not.

6179. Just recollect?—No.

6180. Just recollect?—No.

6181. Will you swear you did not?—I saw him no more that day.

6182. You swear that?—Yes.

6183. When did you see him next?—Well, I think——

6184. You think what?—I really cannot say when I saw him.

6185. But you must, you know?—I cannot tell when I saw him next.

6186. I must try to press it upon you; did you see him the first day?—That is what I have already answered, as I have said, in reply to the learned counsel.

Mr. *Powell* applied to the Committee to report, that George Powell, although served with the Speaker's Warrant, and who had been notified to attend, and who had been in attendance up to this time, was not now in attendance.

Mr. *Price* inquired for what purpose the Petitioners required George Powell.

Mr. *Powell* declined to answer, and stated that he wanted Powell to be called into the room; and when he appeared, the Committee would direct what course was to be taken.

6187. Mr. *Powell* (*to the Witness.*) When did you see Powell last?—When did I last see Powell?

6188. Yes?—You mean from this date?

6189. From this moment?—Yesterday.

6190. Have you not seen him to-day?—No.

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6191. Do not you know that he is staying in the same hotel as you are?—I do.

6192. What time did you see him yesterday?—When he was in the lobby.

6193. You have not seen him since?—I have not.

6194. But he was staying at the hotel with you yesterday?—Yes.

6195. With you?—In the same hotel.

The Committee inquired whether Mr. Powell could prove that he had been notified to attend. Mr. Powell replied in the affirmative.

Mr. Henry Dean, was called in; and, having been sworn, was Examined by Mr. *Powell*, as follows:

Mr. *H. Dean.*

6196. Did you serve George Powell with a copy of the Speaker's Warrant?—I did; not the the warrant, the notice.

6197. When?—Saturday morning, the 21st of April.

John White, was called in; and, having been sworn, was examined by Mr. *Powell*, as follows:

J. White.

6198. Have you the Speaker's Warrant?—I have.

6199. Did you serve a copy of that on George Powell?—I did.

6200. (To Mr. *Dean.*) Where is the notification?—I delivered the original to George Powell, and I returned the copy to Mr. Cheshire.

The Committee inquired if Mr. Powell wished George Powell to be brought before the Committee to-morrow morning.

Mr. *Powell* replied in the affirmative, and also requested that the witnesses who had spoken to him to-day might be in attendance.

The *Chairman* stated that the Committee would order them to be in attendance if they were present.

Mr. *Price* inquired whether the evidence given by the witness Digby would be considered as standing upon the notes of the Committee under the head of undue influence, because, if it were, he should have to deal with it, but if the Committee decided that the evidence was to be struck out there was a witness who might be released from further attendance.

Mr. *Powell* suggested that, before the Committee decided that the evidence was to be struck out, they would hear him argue the question, because he should have to contend that there was sufficient evidence of agency.

Mr. *Price* stated that if there was to be any argument about it he would keep the witnesses.

The *Chairman* stated that it was to be understood that the Committee expressed no opinion about Mr. Digby's case one way or the other, but left Mr. Price to take his own course; and, also, that the Committee took it for granted that Mr. Powell's clients, who had subpœnaed the witness, had not discharged him from attendance before the Committee.

Mr. *Powell* replied in the negative, and stated, that they had sent to the Craven Hotel, and were informed that he had gone to the Crystal Palace for the day.

[Adjourned until To-morrow, at 11 o'clock.

Friday, 4th May 1866.

ACTON SMEE AYRTON, Esq., IN THE CHAIR.

GEORGE POWELL, by the direction of the Committee, was called in; and took a seat.

CHARLES SCHREIBER, Esq., M.P., re-called.

6201. Mr. *Powell.*] WHEN you spoke of never knowing George Powell until you saw him in the lobby, did you allude to the person who is sitting there?—I did.

6202. I understand you to say that in the evidence you have given respecting Powell you mean the individual who sits in that chair?—That is so.

C. Schreiber, Esq., M.P. 4 May 1866.

Mr. ROBERT MALLARY, re-called.

6203. Mr. *Powell.*] Is that the person whom you alluded to as Powell when you gave your evidence (*pointing to George Powell*)?—That was the man who was pointed out to me in the corridor yesterday, I never saw him before to the best of my belief in my life.

Mr. *R. Mallary.*

Captain SCHREIBER, re-called.

6204. Mr. *Powell.*] WHEN you said you had never spoken to Powell, I think you said you saw him in the gallery; did you mean that man (*pointing to George Powell*)?—I did.

6205. You have never seen him in Cheltenham?—I have never seen him in Cheltenham in my life.

6206. Or anywhere else until you saw him in this gallery?—Certainly not.

Captain *Schreiber.*

Mr. AGG GARDINER, re-called.

6207. Mr. *Powell.*] Do me the favour to look at the person sitting there (George Powell) did you ever see that person before in your life?—In the lobby.

6208. When?—The day before yesterday.

6209. Did you ever see him before?—No.

6210. Will you do me the favour to look at him, because yesterday you did not remember whether he had a beard or not. Mr. Powell will excuse you, I am sure; do I understand you to say, having looked at him, that you never saw him before until you saw him in the lobby?—I never saw him until then.

6211. Was he the person who was pointed out to you in the lobby?—He was.

Mr. *Agg Gardiner.*

Mr. *Powell.*] proposed to recall Mr. Morgan.

The *Chairman* stated, that the Committee did not think that necessary.

At the request of Mr. Powell, George Powell was directed to retire into the anteroom, and not to leave it without the permission of the Committee.

Mr. FREDERICK STROUD, re-called; further Cross-examined by Mr. *Powell.*

6212. I WAS asking you yesterday, when we broke up, about a letter which you had written to Mr. Powell; I will ask you no more about that letter, but tell me how many letters did you write to Mr. Powell before you saw him on the Monday in Cheltenham?—One.

6213. Did you not write more than one?—Only one.

6214. Did you cause a second letter to be written?—No.

6215. You are positive of that?—Certain.

6216. Did you cause a telegram to be sent to him?—No, I did not.

6217. Eh?—No, I did not.

6218. That you are sure of?—That I am quite sure of.

6219. You say that Powell mentioned to you his friend Barnfield?—No; I don't remember ever having said so.

6220. Oh, yes you did; I will read to you what

Mr. *F. Stroud.*

Mr. *F. Stroud.* 4 May 1866.

what you said in answer to my friend, Mr. Cooke: "Do you know of his position with Barnfield?—He mentioned to me his friend Mr. Barnfield. Do you know whether Mr. Barnfield himself made any agreement to look after voters?—Yes." That is your evidence?—That I said that Barnfield made an agreement to look after voters?

6221. That is the shorthand writer's notes of your evidence of yesterday in answer to a question by my friend, Mr. Cooke?—I don't remember that.

The *Chairman* stated, that the Committee were all under a different impression.

6222. Mr. *Powell.*] Well, if it is a mistake, I will not pursue it; did Powell mention his friend Barnfield to you?—No.

6223. Never?—No.

6224. When did you ever hear of Powell in conjunction with Barnfield?—I think the first time I heard of it was since these proceedings have begun.

6225. Have you ever seen Powell and Barnfield together?—Wait one moment, I will tell you if I can; no, I have not.

6226. Never?—Never; not that I recollect.

6227. Did you not frequently see Barnfield on the Monday and Tuesday of the election?—Certainly not.

6228. Did you see him at all?—No.

6229. That you are quite certain of?—Certain.

6230. There can be no mistake about that?—I am quite certain of it.

6231. Did you see him at all on the Wednesday?—No.

6232. The day of the polling?—No.

6233. Have you been out canvassing with him?—No, I only went with him once to Mr. Digby's.

6234. Is that the only person you ever called on with him?—Certainly.

6235. But you did go with him to Mr. Digby's?—One morning.

6236. For the purpose of canvassing Mr. Digby?—Yes, certainly, we did not see Mr. Digby.

6237. Do you know Mr. Alder who keeps the "Porter Stores"?—I do.

6238. When did you see him last?—When did I see him last? wait one minute; well, I should think it is three or four months ago since I saw him.

6239. What is he?—He keeps some porter stores in Winchcomb-street.

6240. A man with a family?—I don't know.

6241. Has he been in business there for some time?—That I don't know.

6242. But you did know him as the keeper of some porter stores?—I did.

6243. But you have not seen him for three or four months?—No.

6244. Have you the least idea where he is?—Not the smallest.

6245. You don't believe he is in Cheltenham?—No, I have no belief upon it.

6246. Do you believe he is in Cheltenham?—I have nothing to guide my belief, nothing whatever.

6247. But you have not seen him for three or four months?—No.

6248. You saw him frequently during the time of the election?—I never did.

6249. Do you mean to say you did not see Alder of the "Porter Stores" frequently about the time of the election?—I did not.

6250. Did you see him at the time of the election?—That is very likely.

6251. Have you any doubt about it?—To the best of my recollection I scarcely knew him at the time of the election, but I have known him more since the election.

6252. What has made you intimate since the election?—There have been various matters; he instructed me in one case, a vitriol-throwing case, throwing some vitriol; that is how I knew him since.

6253. What had he got to do with that?—He saw me in it.

6254. Did anybody fling any vitriol at him; do you mean to say that he had anything personally to do with that case?—To the best of my recollection it was by his process.

6255. Has he anything whatever to do with that case himself?—I tell you.

6256. You do not tell me; that is what I complain of?—I really am anxious to give you the exact truth; whether he had anything to do with it himself I don't know; he took it up; he took an interest in it.

6257. Well, sir, you don't mean to tell me that that is all that you have seen about him since the election?—I do.

6258. You do?—I do.

6259. How many times did you see him about that?—Perhaps half-a-dozen times.

6260. Was the last day you ever saw him the day the Speaker's Warrants came down?—I did not see him on that day.

6261. Did you see him the day before?—I did not.

6262. Have you seen him since the election petition was presented?—To the best of my belief I have.

6263. Where?—In Cheltenham.

6264. Where was the last place you saw him at?—I cannot remember, I would tell you if I knew.

6265. Try?—He is a gentleman I know nothing of.

6266. Then you can remember him better if he is a stranger; I beg you to be careful, and I will tell you why?—As far as I am concerned, I should be most anxious to have Alder here.

6267. Since you last saw him, has Mr. Alder been frequently at your office?—No.

6268. At your house?—No.

6269. Has his wife been there at all?—I think she called on me once.

6270. Will you swear she has not been there ten times?—I will.

6271. Will you swear she has not been there five times?—I will.

6272. I must tell you that she has been noticed and observed?—I cannot help it.

6273. I think it is fair to caution the witness; will you swear she has not been either at your house or at your office, five times since you last saw Alder?—To the best of my belief she has not.

6274. Will you swear she has not?—I have given you the best of my recollection.

6275. Will you swear she has not?—I will swear to the best of my recollection; I really cannot remember.

6276. Have you communicated with her?—Certainly not.

6277. Do you know Palmer?—Yes.

6278. Have

6278. Have you been to Mrs. Alder's house?—No.

6279. Not at all?—Not at all; I went one day to take instructions in reference to an accident that had happened at the Seven Springs.

6280. When was that?—About three or four months ago.

6281. Did you see Alder there?—I did.

6282. I ask you whether, since you last saw him, you have been at his house or stores?—No.

6283. That you swear?—That I will.

6284. When did you last see Palmer?—That was about two or three months ago.

6285. What was Palmer?—Palmer was a cider merchant.

6286. Where did he live?—He lived down in the High-street.

6287. Kept a house and shop?—Well, I have been informed so.

6288. What has become of him?—I don't know; I wish I did.

6289. Have you not the slightest idea?—Not the most remote, I wish I did.

6290. Have you had no communication with him, directly or indirectly, within the last three months?—Certainly not.

6291. Have you never sent a message to him?—Certainly not.

6292. Did you know Baldry?—I saw him once, and only once to the best of my recollection.

6293. What is he?—He is a loose man on the town.

6294. Where was it you saw him?—I saw him at the inn.

6295. Was that the day you were there with Mr. Schreiber?—No, it was not, it was the day before; when I say the day before, I mean the day that I called there before.

6296. You did call at Knowles the day you called with Mr. Schreiber?—No, pardon me; I called and canvassed Knowles before I went to Knowles with Mr. Schreiber.

6297. Did you see Baldry there then?—I did.

6298. Have you seen him since?—No; to the best of my recollection not.

6299. Have you any idea what has become of him?—I have not, I was in hopes I should have met him in this room.

6300. Do you know Welch?—No; I do not.

6301. Have you ever heard of him?—I have heard of him in this enquiry.

6302. Do you know what has become of him?—I do not.

6303. Do you know Minson?—I never saw him.

6304. Do you know the man who is one of the cases charged here?—No, I never spoke to him in my life.

6305. Do you know who the man is?—No.

6306. You do not know what has become of the man?—No.

6307. Now, tell me, do I understand you to say you did not know Alder before the election?—To the best of my belief I did not; Mr. Alder is a man that I know very little of.

6308. You have sworn that you do not know whether you saw him previous to the election?—I think I never saw him before.

6309. Will you swear you were not with a person named Powell a month previous to the election?—That I will.

6310. Edward Powell?—That I will.

6311. Were Stott & Co. ever clients of yours?—Yes.

6312. They were, were they?—Yes.

6313. Did you ever have any communication with them, except through Powell?—Yes, I have.

6314. You said yesterday you had got your books here?—Yes.

6315. They are here to day I presume?—I don't know; Mr. Ridge was taking care of them.

6316. Now, I have got to ask you some questions about this matter; I ask you this, whether in the month of April last it was not arranged between you and Powell and O'Brien that you should write to O'Brien a letter demanding 7 *l.* odd as due to Stott & Co., in order that he might take it to Mr. Cheshyre and get the money from him?—Certainly not.

6317. You and Powell, then?—Certainly not.

6318. Now attend?—I will.

6319. Did you in the month of April last write a letter to O'Brien?—I did.

6320. Who instructed you to do it?—Mr. Powell.

6321. To O'Brien?—Yes.

6322. In April last?—Yes.

6323. What was that letter to be written to O'Brien for in April last?—It was simply for the purpose, as far as my instructions went, to get the money.

6324. Now, I ask you, sir, upon your oath, was not that letter written by you in conjunction with Powell in order that O'Brien might take it to Mr. Cheshyre to see if Mr. Cheshyre would advance him the money?—Certainly not.

6325. On your oath?—On my solemn oath it was not.

6326. Now, I should like to see your books with the instructions for writing this letter?—

Mr. *Price* objected to this evidence, upon the ground that Mr. Powell had no right to ask the Witness as to instructions which were confidential between attorney and client.

The *Chairman* stated, the Committee were of opinion that Mr. Powell could not ask the Witness about his communications with his client.

6327. Mr. *Powell.*] Now, I ask you to produce your books in which you have got any entry whatever relating to this transaction.

Mr. *Price* objected to this question on the same ground.

The *Committee* allowed the objection.

6328. Mr. *Powell.*] Now, I ask you this; did you call at O'Brien's house yourself on several occasions?—No.

6329. Not on any occasion?—Never.

6330. Did you send for him?—Never.

6331. Did you call at his shop?—Never.

6332. Never in your life?—Never.

6333. On the 21st of April, will you swear that you were not in O'Brien's shop?—I was.

6334. Did you see him?—I saw young O'Brien at his father's shop one day.

6335. I thought you told me you had never called there?—Well, I did not; it was as I was passing down the street, that is all.

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6336. Did you speak to him?—I think I said, "How d'ye do"?

6337. Had you a letter in your pocket?—Certainly not.

6338. In your hand?—No; that letter was delivered by my clerk in the usual way.

6339. Do you mean to swear that Stott and Co., ever heard of your sending that letter?—It is very likely not; I do a good deal of business without their knowing it, I should say.

6340. By the *Committee.*] Where is their house?—In Huddersfield.

6341. Mr. *Powell.*] You have been asked about Allen's case; what did you give Allen?—The railway expenses.

6342. I want to know what sum you gave him?—He spoke to it.

6343. Never mind what he spoke to?—£1., some odd shillings.

6344. How many odd shillings?—I cannot remember.

6345. I want you to?—I cannot remember the odd shillings.

6346. Did you make any entry of them?—No, I think not.

6347. Why not?—Well, I don't know.

6348. Why not?—I think I might have put it down on the bill that I sent in to Mr. Gwinnett.

6349. Did you put it down any where else?—No.

6350. Where is that bill; is that among the vouchers?—Well, I dare say.

6351. By the *Committee.*] Did you deliver in a bill of expenses to Mr. Gwinnett?—I did.

6352. Is that bill among those that are here; look and see if it is among that bundle of vouchers you sent in to Mr. Gwinnett, and if not tell me why it is not there?—(*After looking through the bundle of vouchers produced in evidence*) No.

The *Chairman.*] There is an item, conveyance of voters, railway tickets 94*l.* 15*s.* 9*d.*?

6353. Mr. *Price.*] Is it included in that, Mr. Stroud?—I cannot tell.

Mr. *Powell* (to Mr. *Gwinnett*).] Will you produce, if you please, the bill which Mr. Stroud sent in to you?—

The *Chairman.*] Did you receive a bill from Mr. Stroud for contingent expenses?

Mr. *Gwinnett.*] I received a bill from Mr. Stroud which was paid.

The *Chairman.*] Containing items of expenditure?

Mr. *Gwinnett.*] The bill, or whatever it is, is with the papers handed over to Mr. Rigg, the agent for the election, and is among those which have been delivered in.

Mr. *Powell.*] You said yesterday, Mr. Gwinnett, that you have your books here?

Mr. *Gwinnett.*] I did not say that I had my books here, if you will pardon me.

6354. Mr. *Powell* (to Mr. *Stroud*).] Did you ask him what his expenses were?—I did.

6355. What did he say?—He told me what they were.

6356. Did you ask him what class he travelled by?—Yes.

6357. You did?—I did.

6358. What did he tell you?—I have got the papers relating to this at home.

6359. At home?—I mean up here; I understood that that case was gone.

6360. Where are they?—They are at my hotel; I can get them in a minute.

6361. Perhaps you will do so in the course of the day?—I will; I will give you all about it; I understood that there was nothing in the case, and I left them at my hotel.

Mr. *Price.*] By all means let them be got.

The *Witness.*] Oh, certainly; I had it in my pocket, as you know at consultation.

6362. Mr. *Powell.*] Now, Byrne, you say, was a friend of yours?—He was, and is.

6363. Is he staying with you in London?—He is staying at the same hotel.

6364. Which committee room did Byrne attend to?—Which committee room? none.

6365. Was he at any committee room?—I never saw him at one.

6366. Not at any committee room?—No.

6367. He was out frequently canvassing with you?—He went out with me at times.

6368. What were called committee-rooms?—As I think, I said in my examination in chief, there was but one committee-room, and that was at Liverpool-place, and there was no other except on the nomination day.

6369. Have you seen him at these places that have been called committee-rooms, rightly or wrongly?—I never have.

6370. He has not been there with you?—No.

6371. Do you know Mr. Cockrell?—I do.

6372. He is a director of the Loan Company, of which your friend Byrne is the agent?—He is.

6373. Have you seen him engaged in matters relating to the election?—I have seen him in the lobby.

6374. You have seen him in the lobby?—Yes, I have never seen him engaged in the election.

6375. Do you know his writing?—Yes.

6376. Is that signature there his (*showing a letter to the Witness*)?—I do not think it is.

6377. But do you believe it?—I do not believe it is.

6378. Now you have seen him here?—I have; he can speak to his own signature.

6379. You know Mr. Byrne's writing, I suppose?—Yes.

6380. Is this his writing (*handing a paper to the Witness*)?—Yes; I think that is his writing.

6381. You swear you sent no telegram to Powell?—I do.

Re-examined by Mr. *Price.*

6382. Now, we have got to Powell again; I will begin with Powell; did you ever at any time, either before the time when Powell returned from Scotland, or after he returned, give Mr. Powell any authority whatever to act on behalf of Mr. Schreiber at the election?—Never; I solemnly swear it.

6383. Did you ever ask him to canvass for you, or do anything for you after, as you say, he had declined to do so?—I did not.

6384. Is

6384. Is it the fact that he did decline to assist in any way?—He did on Monday morning.

6385. Where did you meet him on the Monday, when he declined?—In the High-street.

6386. He was going, you say, it might be to your office, but you did not know it?—I did not know it.

6387. Is it true that you ever engaged Powell for 1 *l.* a-day?—I certainly never did.

6388. Or for any sum whatever?—Never; I solemnly swear it.

6389. With regard to the letter you wrote to him, have you any objection to state to the Committee, if they wish to ask you, the contents of that letter?—None whatsoever.

6390. Now, with regard to the nomination day; do you remember or not whether you saw Powell on that day?—I did not.

6391. What were you engaged in doing on the nomination day?—On the morning of the nomination day I was engaged in making out my committee-room lists for the following day.

6392. Did that occupy your whole time that day?—Then in the afternoon I met Mr. Schreiber at Liverpool-place, where I was with him.

6393. Did that occupy the whole of your time?—It did.

6394. Does that enable you to speak with confidence that you did not see Powell that day?—It does.

6395. Except on the occasion when you saw him on the Monday in the High-street, had you any communication whatever with him with regard to the election?—None whatsoever.

6396. Now, will you tell the Committee what passed when you met him in the High-street?—I think I have already done that.

6397. You have stated that you spoke to him, and he said he would come back, and so on?—Just so.

6398. I think I understood you to say, on that occasion you did not ask him to do anything for you in respect to the election?—Certainly not; after he declined I thought there was an end of it.

6399. Now, on the polling day; did you see him at all during the polling day?—No.

6400. Where were you during the polling day?—In the George's-street committee-room.

6401. Engaged the whole of the day?—Engaged the whole of the day.

6402. Are you able to say with confidence that Powell was not in that committee-room on that day?—Certainly.

6403. When next did you see him after the election?—Two or three weeks.

6404. Now, I will take you first as to Digby; I understand you to say you went with him to Digby to canvass Digby?—No; I went with Mr. Barnfield.

6405. You have been asked a great deal about these instructions; so far as you know, Mr. Stroud, as a professional man, was writing that letter a *bonâ fide* piece of business done by you for him?—Clearly so.

6406. Now, with regard to Mr. Barnfield; something has been said about some agreement; did you hear anything of the kind from Barnfield?—Certainly not.

6407. Did you hear anything of the kind from Powell?—Certainly not.

6408. Has what you have heard been since the election?—Entirely.

6409. Did you see Barnfield on Monday or Tuesday at all?—No.

6410. Now, you say you went with him to Digby's; did you see Digby when you went there?—No.

6411. Did you know of any relationship or connection which existed between Barnfield and Digby, at the time when you went there?—Not in any particular, I did not.

6412. You do not frequent Alder's "Porter Stores"?—I do not.

Mr. *Powell.*] Will you be kind enough to ask him if he acted as attorney for Barnfield.

6413. Mr. *Price.*] Did you act as attorney for Barnfield?—After the election; that is the only time I ever acted for him; Mr. Chesshyre acted for him up to the day of the election.

6414. Now, you acted as attorney to Mr. Barnfield, in the suit between him and Digby?—I did.

6415. Were you present when the cause was referred in London?—I was.

Mr. *Powell* objected, upon the ground that this did not arise out of his cross-examination.

Mr. *Price* stated that he would not go into it if it was objected to.

6416. Mr. *Price.*] Do you remember questions which were put to Mr. Digby, with reference to an expression of Mr. Barnfield, that he (Digby) had broken his promise?—I do.

Mr. *Powell* objected to this evidence, upon the ground that it was wholly irrelevant, and related to a collateral issue upon which Mr. Digby's answer was taken, and which the parties must be bound by.

The *Chairman* stated, the Committee could not go into any distinct inquiry as to that.

6417. Mr. *Price.*] Now, you say you know nothing of Marshall, and all these people?—Certainly not; I never saw the man in my life.

6418. Now, as to Allen's case, you have not the slightest objection to produce the account that you made out?—Clearly not.

The *Chairman* stated, the Committee were of opinion that that need not be gone into any further.

6419. Mr. *Price.*] Was Mr. Gwinnett the only person who had authority to put persons on the canvass as paid agents?—Certainly.

6420. Something has been said about Powell staying at the same inn with you; have you had any communication with him since you have been in town?—None whatever.

CHARLES SCHREIBER, Esq., re-called; further Examined by Mr. *Price*, as follows:

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6421. I WANT to ask you one question; Mrs. Wood has said you canvassed her, and that you admired her children, which I dare say you were quite justified in doing, and then you said you would maintain them; did you say anything about maintaining her children?—Certainly not.

6422. Will you tell us what you said about maintaining the children?—Mrs. Wood's remark was, that ours was the party to keep the children; what I said was, "Our's is the party who keep the children," alluding to the great predominance of the Conservative party.

6423. I asked you yesterday a great deal about bribing up and down the Bath-road; I see you are said to have been with Powell in Burton-street with a fly; do you remember being in Burton-street with him?—No.

6424. Or Palmer?—No.

GEORGE POWELL, called in; and Examined, as follows:

G. Powell.

6425. By the *Committee.*] HAVE you got with you a letter which was addressed to you by Mr. Stroud, when you were in the country the last time you were absent before the election took place?—I have not.

6426. Where is the letter?—I don't know.

6427. Did you receive the letter?—I did; I received a letter from Mr. Stroud.

6428. Is it destroyed?—It is, to the best of my knowledge.

6429. Did you receive more than one?—I did not.

6430. Or a telegram?—Nor a telegram.

George Powell was directed to withdraw.

Mr. FREDERICK STROUD, called in; and Examined, as follows:

Mr. *F. Stroud.*

6431. By the *Committee.*] WILL you be good enough to state what the letter was that you wrote?—It was a letter telling him the day of the nomination, and the polling, and asking him to make it convenient to come and record his vote on his journey.

6432. Was that all?—That was all.

6433. Nothing else?—Nothing else.

6434. Why did you think it necessary to destroy that letter?—Well, sir, if the Committee will allow me, I will tell the circumstances under which it was; two or three months after the election I was concerned in a bankruptcy matter, in the County Court, in Cheltenham, "Re Hitch," in which I had to appear against Mr. Cheshyre; I had to have my letter book there; on turning over the letters to find the letter I wanted, I saw this; Mr. Cheshyre, as he very often does, accuses me of all sorts of things, and in the hurry of going to the Court, he had accused me of this matter with Mr. Powell, at this time he had, which, of course, I always denied; and seeing this letter written to Mr. Powell, which was in my letter book, stamped there by my clerk, and written in the regular way, I thought probably he might make some little handle of it, and I heedlessly took it and tore it out, and threw it into the fire.

6435. Heedlessly; you seem to have had a great design in it?—No, I thought it better not to give him any colour to what he had already accused me of doing; I thought he might see the letter-book on the table.

6436. What had you heard that Mr. Cheshyre accused you of?—I had heard of nothing more than that I put Mr. Powell in motion, that is all; Mr. Cheshyre accused me of doing that.

6437. But this letter, according to your statement, would refute that, would it not?—It shows that I was in conjunction with him; but, however, it was done, as I tell you, in haste one morning as I was going down to the Court, and very likely it was very stupid.

6438. But if the letter contained nothing more than you have told us, would it not have been a complete refutation of the charge?—I think it would; I think it was very silly in me to destroy it.

6439. It did not occur to you, then, when you had it before you, that it would refute the charge?—It did not; on the contrary, it rather struck me it might give some handle to it, and might be the means of strengthening the belief in his mind, and induce him to petition; there was no petition, of course, at that time.

6440. Mr. *Price.*] Was that destruction before the petition or after?—Oh, dear, yes! it was in October or November.

6441. By the *Committee.*] Did you see Powell since yesterday evening?—I have seen him.

6442. Have you spoken to him?—I have said, "How do you do"?

6443. Nothing more than than that?—Nothing more than that.

6444. You have a clear recollection now of the whole circumstance of burning this letter and throwing it into the fire?—Yes.

6445. Why did you not recollect it yesterday when you were asked by Mr. Powell if you had not destroyed it, and you said you were not quite certain?—I was exceedingly tired and exhausted, and besides was not very well; when Mr. Powell came in, I must say, I had not my usual clear remembrance.

6446. You were not quite certain yesterday?—I was not; it was from my extreme anxiety to be quite sure that I gave a wrong colour to the expression; I have been accused of all sorts of things, and after a week's arduous inquiry here I got exceedingly unwell; it was just at the end of the day.

6447. Did you send any message to Powell about your evidence yesterday?—Certainly not.

6448. You said, in answer to Mr. Price, that it was not till lately you heard of this arrangement between Powell and Barnfield; when was it you heard of it?—The arrangement between them?

6449. Yes?

6449. Yes?—It was in this room.

6450. Not before?—Not before.

6451. Were there any other letters on the same page on which this letter was entered?—No, I think not.

6452. Do you enter your letters on a separate page, or do you write continuously in your letter-book?—I do not write in the letter-book at all; my letter-book is a copying-press; it is like this (*taking up a sheet of paper*); if I have a letter written on two sides it goes open in that way, and takes up the whole page.

6453. A letter merely stating that such and such a day is fixed for the nomination, will you come up and vote; is that a letter which you would put in your copying-book?—I did this particular one.

6454. Did you merely write thus: "Dear sir, The nomination is fixed for such a day; I hope you will be present"?—Yes. Mr. *F. Stroud.* 4 May 1866.

6455. Did you write any other letters of that sort?—No.

6456. Only this particular one?—No.

6457. Did Powell leave you his address, when he went out of town?—Yes.

6458. How came he to do that?—I had business at that time for him.

6459. With Messrs. Stott?—Yes; I can tell you the business if you please.

6460. When did you write to him?—That I cannot remember.

6461. You do not recollect the address he left you?—I do not, indeed; it was somewhere in the north.

GEORGE POWELL, was called in; and, having been sworn, was Examined by the *Committee*, as follows:

6462. YOU left Cheltenham shortly before the last general election?—A fortnight or three weeks before. *G. Powell.*

6463. Where did you go to?—The north of England, through Liverpool, Lancaster, and Carlisle.

6464. Before you left, did you communicate either with Mr. Stroud or with Mr. Barnfield?—I had seen Mr. Stroud some time before that.

6465. Had you seen Mr. Barnfield before that?—I had seen him before I knew Mr. Barnfield; I was a customer of his.

6466. With regard to Mr. Stroud, how long before you left did you see him?—I had seen him within a fortnight before leaving.

6467. Did he know you were going away?—I cannot say, it is very likely he did.

6468. But did you have any communication with him about your going away?—I do not recollect that I had any communication at all with him respecting going away from Cheltenham.

6469. Did you not communicate with him where you were to be found when you went away?—I may have done so, but I cannot recollect doing so; I did Mr. Barnfield.

6470. You told Mr. Barnfield you were going away?—I did.

6471. Did you give him your address?—I did.

6472. Now you recollect that perfectly well; can you recollect whether you had any communication with Mr. Stroud to the same effect?—I had not.

6473. You are certain of that?—I have not the slightest doubt; I should recollect it if I had.

6474. Did you tell Mr. Stroud that Mr. Barnfield would know where your address was?—No.

6475. Did you receive a letter from Mr. Stroud while you were away?—I did.

6476. You have stated that it was only one letter?—I only received one letter from him.

6477. Where were you when you received it?—I cannot be quite certain; I think it was at Carlisle.

6478. Do you recollect what address you gave to Mr. Barnfield?—I gave several addresses to Mr. Barnfield.

6479. Upon different dates?—Upon different dates; I wrote to Mr. Barnfield, and altered one or two addresses I sent him previously, as I went on my journey and changed the place.

6480. What was your correspondence with Mr. Barnfield about?—I asked him whether he knew when the election was coming off, and how things were going on.

6481. The correspondence between you and Mr. Barnfield was about the election, and how it was going on?—Yes.

6482. Then did he become acquainted with your address at Carlisle from a letter that you had written to him?—I am not quite sure it was Carlisle; I believe that was one of the towns I visited on that journey.

6483. Have you any of those letters?—I have not.

6484. What have you done with Mr. Stroud's letter?—I have not the slightest doubt I destroyed it with others; I always destroy letters if they are unimportant, and I receive a great number when I am out from home on a journey.

6485. Do you mean to say you always destroy them if they are unimportant letters?—Always.

6486. What was the purport of Mr. Stroud's letter to you?—He wrote to inform me what day was fixed for the nomination and the election, and added that he should be very glad if I could come home and give my vote, or words to that effect.

6487. Was there nothing more in the letter?—There was nothing more.

6488. Are you quite sure?—I am quite positive; I cannot say it was in so many words, but that was the effect of his letter.

6489. Did you return in consequence of that letter?—I did not in consequence of that letter.

6490. How many days after did you return?—I should imagine it would be four or five days.

6491. What day was it, do you recollect; was it Saturday, Sunday, or Monday, that you returned?—On the Saturday; on Saturday evening I reached Cheltenham.

6492. The Saturday before nomination?—Yes.

6493. When did you see Mr. Stroud?—I saw him on the Monday.

6494. When did you see Mr. Barnfield?—I saw Mr. Barnfield on the Monday.

6495. The first time after your return?—Yes.

6496. Who did you see first?—I saw Mr. Stroud first.

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6497. What did Mr. Stroud say to you?—He was very glad to see I had come back to give my vote.

6498. Was that all?—I think he added that he should be very glad if I would assist them in any way I could.

6499. What did you say?—I told him I could not, that I had to do some business for my employers in the north of England; and I returned immediately after the election on Wednesday.

6500. Was that all that took place?—To the best of my belief, that was all that took place.

6501. Did you not wish to be employed as a canvasser at all?—Certainly not.

6502. Did he ask you to act as a canvasser at all?—No.

6503. Did he ask you before you left Cheltenham?—I remember seeing Mr. Stroud. I left Cheltenham, and he asked me which way I was going to vote; I told him I should vote for Mr. Schreiber; my father-in-law wished me very much indeed to canvass for Colonel Berkeley. He said, "Well, but you will have no time for that sort of thing"; I said, "No, I shall not."

6504. Did you see Mr. Stroud again after you returned, between the Monday and the end of the polling?—I did not see him for some weeks after.

6505. Did you see Mr. Schreiber during the election?—I did.

6506. Did you speak to him?—I was introduced to him.

6507. By whom?—By Mr. Engall, I believe.

6508. Where was that?—In Leamington-place.

6509. What did Mr. Engall say to you?—I saw Mr. Engall; I asked him if he was going down Windsor-terrace canvassing; that was where I lived at the time, and I said it would be of no use coming to my house; I am going away, but you can put down my vote for Mr. Schreiber; immediately after Mr. Schreiber came out of the shop, and Mr. Engall introduced me.

6510. What shop?—I do not know what shop it was; I presume Mr. Schreiber had been there canvassing.

6511. He was the local agent, was he not?—I do not know; he was a supporter of Mr. Schreiber, and I believe was canvassing with him.

6512. Well, go on; he came out of the shop?—I was introduced to him, and I believe Mr. Schreiber shook hands with me.

6513. What was said?—Mr. Engall said, "This is Mr. Schreiber, Mr. Powell"; I believe he said, "Mr. Powell is a voter who has just promised us his vote"; that was all that passed between me and Mr. Schreiber; then he shook hands with me; I turned round to Mr. Engall; we were then exactly opposite a customer of mine of the name of King; I said, "Are you going to call on him"? he said, "We are"; I said, "If you will allow me, I know him intimately, I will step inside with you"; myself and Mr. Engall went in; I believe Mr. Schreiber stood by the door; I asked, "Is Mr. King in"? I was told he was not; I came out again, and wished them "Good day."

6514. Is that the only occasion on which you saw Mr. Schreiber?—The only occasion on which I saw him to speak to him.

6515. Were you in any conveyance with him on any occasion?—I was not; that was the only occasion on which I ever spoke to Mr. Schreiber in my life.

6516. That is from the Monday to the end of the polling?—Exactly so; I am not sure whether it was not on the Monday or the Tuesday.

6517. It was one of those three days?—It was.

6518. Are you sure you never went in a cab with him to solicit any vote?—Yes, I am.

6519. Or walked with him up streets, calling at houses?—I never saw him, except on that one occasion.

6520. Are you quite certain you never went into any house with him?—Quite certain.

6521. How far did you go with the party on that occasion?—About a half-dozen yards.

6522. How many minutes were you with him?—I think I should be quite right in swearing I was not with him more than two minutes.

6523. Were you wearing a beard then the same as you are now?—Yes, I don't think I had quite so much; I did not speak to Mr. Schreiber himself, after shaking hands with him, when I was introduced.

6524. You saw Barnfield about the election?—I did; I called on Barnfield on the Monday.

6525. What did he say to you?—After shaking hands with me, he said, "Now, old fellow, you must throw by those cases and assist me in the election"; I had two cases of samples with me, one in each hand, at the time.

6526. What did you say?—I said I cannot do that, I shall not have time.

6527. What did he say?—I think he also said that Mr. Stroud had asked me, and I declined doing it; he pressed the matter, and, after declining for some time, I agreed to do so.

6528. What did he press?—He said, I had promised to assist him in the election on a previous occasion.

6529. Was that all he said to you?—When I said, I would do so, he said that is right, now we will go to business; I do not believe Mr. Schreiber will have a chance of being elected, as the Yellows are bribing right and left; I can prove that they have either bought pictures, or offered to bribe them, and if I can only find out a few cases for a certainty, it will be just as good as winning the election; he then told me of a person of the name of Gibbons as one of those whom he had heard had been bribed by the supporters of Colonel Berkeley; in the course of the day we called on this Gibbons.

6530. I wish you to state all that took place between you and Barnfield; was that all that took place?—At that time it was.

6531. Did you discuss the matter again with Barnfield?—I did on several occasions.

6532. What was then said on the other occasions?—I do not remember any conversation in particular that would fix itself in my memory.

6533. Did he make any further communication to you as to the persons that you might operate upon?—He made several communications to me as to parties to call upon who he understood had been offered bribes by the supporters of Colonel Berkeley.

6534. Did he give you a list of persons on whom you should call?—No, he did not; he named to me several cases.

6535. Did he mention more names than the one you have given?—He did.

6536. How many names did he mention?—I daresay he mentioned at that time from six to eight.

6537. Are

6537. Are you sure he did not mention more; did he not mention 20 names?—I can swear he did not mention 20 names at that time.

6538. At any time did he mention 20 names?—He may have mentioned 20 names, but I do not think there was anything like so many.

6539. Had you a list of names?—I had not.

6540. At any time had you a list of names?—To the best of my recollection I saw no list at all.

6541. Did you make any list of names?—I may have entered them in my pocket-book.

6542. Have you got your pocket-book?—I have not.

6543. What have you done with it?—I have some 40 or 50 at home; that was my order book; as I filled them up I placed them aside, sometimes in the warehouse at Huddersfield, and at other times at my own house.

6544. Do you mean to say that Mr. Barnfield did not ask you himself to endeavour to influence any of these voters to vote for Mr. Schreiber?—He certainly did by talking to them.

6545. By any other means?—Certainly not.

6546. Did he not ask you to make them any offer?—He did not.

6547. Did he never request you to do anything with them beyond speaking to them?—He requested me to try and ascertain, if I could, whether any of those had been offered bribes by supporters of Colonel Berkeley.

6548. Do you mean to swear that he did not ask you to bribe?—He did not for money, but he said he should have no objection to do so himself; but I swear most positively I did not consent to assist him in any corrupt motive; I did not agree or consent to that, but I did consent and agree to try and prove certain cases against the supporters of Colonel Berkeley.

6549. If he says that you consented to agree with him, and that you agreed to do so, that would be telling a falsehood?—If Barnfield has stated that I agreed to assist him in bribing people, he has said that which is false.

6550. Did Barnfield tell you that he would be responsible to you for any money that you might pay the voters?—He did; he said if I paid anything for drink, or beer, or cab hire, that he would pay it me back again.

6551. Any money to be paid to voters?—He did not say that.

6552. He said he would be answerable for any money you expended in treating voters?—Yes.

6553. Did he authorise you to treat the voters?—He said if I did so he would see that I was not out of pocket by it.

6554. Did he ask you to treat the voters?—Yes, he did.

6555. Did he give you any limit as to the expenditure you were to make in treating the voters?—He did not.

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6556. Have you made any expenditure?—I have to the amount of a few shillings, probably a sovereign.

6557. Have you given him any account of that expenditure?—I did not; I never asked him for a farthing, and I never intend to do so.

6558. Have you received any payment from anyone whatever, for your services at the last election?—I have not.

6559. Had you any agreement with anybody whatsoever, that you were to be paid a guinea a day for your services?—Certainly not, nor was any such thing ever named.

6560. Any sum whatever?—No.

6561. Do you expect any payment?—I do not.

6562. Did you ever go with Barnfield to any committee-room?—Never.

6563. You say you did not return in consequence of Mr. Stroud's letter?—I received a letter from Mr. Barnfield on Saturday morning begging me to come home, and I made up my mind then that I would do so.

6564. What did he say in that letter?—He said that every vote would be of great consequence, and that I must come home.

6565. Was it in consequence of that letter that you returned home?—That decided me; I was doubtful before whether I should return.

6566. Where did you receive that letter?—At Morpeth.

6567. How far is that from Cheltenham?—It would be over 200 miles.

6568. Did you come immediately then?—I left the same morning by the mail train; that would be on the Saturday afternoon.

6569. Have your employers any other agent but yourself at Cheltenham?—They have not.

6570. Did you ever go to any of the committee-rooms?—No.

6571. Or go to the rooms which were called the committee-rooms of Mr. Schreiber?—I did not.

6572. Are you quite sure of that?—Quite certain.

6573. Do you know the places that the business of the election was transacted at?—I know this central committee-room well.

6574. Do you know the other office at which the business was transacted?—I know there was one address where business was transacted.

6575. Where was that?—One down in High-street, and one down in St. George's-street.

6576. Did you go into any other?—I did not.

Mr. *Price* proposed to call a Witness with regard to Mr. Digby's case.

[The Witness withdrew.

Mr. George Shepherd, was called in; and, having been sworn, was Examined by Mr. *Price*, as follows:

Mr. G. Shepherd.

6577. Just read that part of the evidence from your short-hand notes?—"Do you mean to say that Barnfield told you that in consequence of your having voted at the election, he should enforce the bill of sale?—He did not tell me so. Which way did you vote, for Mr. Chesshyre's party?—Yes. Was he at that time acting as the agent for Colonel Berkeley?—He was. You said in your examination in chief that Barnfield said you have broken your promise to me, and I shall enforce the 'bill of sale;' now, did that refer to the Union receipts?—I inferred not."

6578. "I inferred that," it is here?—"I inferred that. Did he say you have not brought to me the receipts as you ought to have done,

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and I shall enforce the bill of sale?—He did not; but I say I inferred he meant that. Did Barnfield complain of you not having brought down the receipts for the Union money?—When. On the 13th July?—He said you have broken your promise, and I want my 125 *l.* That is all I recollect he did say. Will you swear he said nothing about bringing down the receipts?—He said nothing about it. Will you swear that?—I have no recollection of the exact words he used."

6579. Were you present during the whole of the time?—I was.

Cross-examined by Mr. *Powell.*

6580. Just let me look at your notes (*the Witness handed his note-book to the learned Counsel*); what system of short-hand do you write?—Pitman's.

6581. I was in hopes it was the same system that I write; now tell me, if you please, what are you?—I am a reporter.

6582. For what paper?—For the "Cheltenham Express."

6583. Where did this inquiry take place?—In London.

6584. May I ask what made the inquiry in London about this trumpery bill of sale of sufficient importance for a reporter from Cheltenham to come up and attend it?—I was engaged for the purpose.

6585. By whom?—By Mr. Barnfield.

6586. Is the "Cheltenham Express" the organ of Mr. Schreiber's party?—It is.

6587. Tell me, if you please, how long you have been a reporter?—Twelve years.

6588. Did you take a verbatim note of what took place?—I did.

6589. Now tell me where it is you have been reading, because I have got the Counsel's brief in the case, with his notes; where is it that you have been reading from?—I have been reading from the cross-examination.

6590. Of whom?—Of Mr. Digby.

6591. Just read the beginning of your note of the cross-examination, that I may see whether we are getting to about the same part of it?—I have only read the finish of it, the concluding portion.

6592. I am aware of that; I want to know where to start from; just read to me from the beginning of the cross-examination?—"In January, 1864, there was a bill between you and Barnfield; was there a balance of 20 *l.*?" The answer is, "Yes."

6593. Whereabouts is the part you have been reading from; I want to find it?

The *Chairman.*] It is five or six pages on of his book.

The *Witness.*] Yes.

6594. Mr. *Powell.*] Read on?—It is shortly after some letters were read.

6595. Read a few questions and answers before what you read?—"On the 13th of July last Barnfield said, as you would not give to him the receipt for the Union, he should put in force the bill of sale."

6596. Is this Mr. Digby's cross-examination?—Yes.

6597. How far from the beginning or the end of it?—That is very near the end.

6598. Was Mrs. Digby examined?—Yes.

6599. How far before she was examined; I have got it now; just read that part of it again?—"On the 13th of July last Barnfield said, 'As you have not given me the receipt for the Union money, I shall enforce the bill of sale.'" Then the answer is, "What day was that?" Then the question is, "What day was the election?"

6600. Read that again about the Union and the bill of sale?—"On the 13th of July last Barnfield said 'As you have not brought me the Union receipts, I shall enforce the bill of sale.'" Then the question is, "What day was the election?" and the answer is, "On the 12th of July."

6601. You have got it that Barnfield did say that?—That was the day after the election.

6602. Read the entry?—"On the 13th of July last Barnfield said, 'As you have not'"——

6603. Now you have got it Barnfield said that?—No, that is a question by Mr. Griffiths.

6604. Go on and read the question?—Then Mr. Digby says: "What day was that; what day was the election; you say it was the 12th of July?—Well, I think it was the day after the election. Did he say as you have not brought down the Union receipt, I shall enforce the bill of sale?—No, he did not. Was that after the meeting of the Board of Guardians?—Yes."

6605. What Mr. Digby said was, that Barnfield did not say he should enforce the bill of sale, because he had not brought the Union receipts. That is what he says?—It is so there.

Mr. *Powell* proposed to read the note of the Counsel.

The *Chairman* stated that the Committee were of opinion that could not be done.

6606. Mr. *Powell.*] That is what Digby did say. Barnfield did not say to me that he would enforce the bill of sale, because I had broken my promise about bringing the receipt. That is the substance of what he said?—"Did he not say, as you have not brought down the Union receipts, I shall enforce the bill of sale?—No, I did not."

Re-examined by Mr. *Price.*

6607. Mr. *Price.*] "You said in your examination in chief, that Barnfield said, You have broken your promise to me, I shall enforce the bill of sale; now did that refer to the Union receipts?—I inferred that."

6608. By the *Committee.*] Is that the transcript of your notes, or a brief copy; is that your transcript?—Yes.

6609. Is that an accurate transcript of your short-hand notes?—It is. (*The same were handed in to the Committee*).

Mr. WILLIAM HENRY GWINNETT, recalled:

6610. Mr. *Powell.*] WHERE are the papers, Mr. Gwinnett, relating to the election?—Here in London.

6611. Will you produce them?—I think I mentioned in my examination that I handed them all over to Mr. Ridge, the election agent, for the defence of the seat.

6612. This is what the short-hand writer says you said yesterday, if you will kindly listen: "You are under notice to produce your books; have you got your books here, with an account of the election expenses?—Yes. And the papers and vouchers connected with it?—Yes, except such papers connected with the election as are handed in. Will you produce the book from which you made out that summary?—Yes. Were all the election accounts in their dates copied in one book?—No. Were they copied in a variety of books?—In a variety of papers. Have you got the whole of them here?—I believe so."—That, I believe, is what I said yesterday; when I said I have got them, they were handed to Mr. Ridge; I believe they are here.

6613. Mr. *Price.*] They are here?—I believe so.

Mr. *Powell.*] We ask for them. Mr. *W. H. Gwinnett.* 4 May 1866.

6614. By the *Committee.*] Have you any more papers than those you have handed in?—No; those that the Committee have, and those that were delivered to Mr. Ridge.

6615. Do you mean the agent for the election expenses?—Yes; in defending the seat against this Petition.

Mr. *Price* stated that was all the evidence on behalf of the sitting Member.

Mr. *Price* then proceeded to address the Committee on behalf of the sitting Member, and, in the course of his address, referred to the evidence of Charles O'Brien, and regretted that George Powell had not been asked whether he had paid that Witness 20 *l.*

The Committee thereupon directed George Powell to be re-called.

GEORGE POWELL, re-called; Examined by the *Committee.*

6616. Do you know Charles O'Brien?—I do.

6617. Had you any communication with him immediately after the election?—I did.

6618. Was that on the subject of money?—It was partly so.

6619. Have you had any communication with him lately on the subject of money?—I have.

6620. When last?—On Saturday night.

6621. What took place then?—I met him near the Horse Guards, and he asked me if I would treat him to a glass of beer; when I did so; after that he said, as he was walking up the street, "I shall be locked out of my lodgings," and "that b——y old Gaisford" had not given him any money, and he asked me to lend him 10 *s.*; I declined to do so.

6622. You did not lend it?—No.

6623. Before that had you any communication on the subject of money with him?—In Cheltenham.

6624. What was that?—I met him in the street, and he asked me what time I should be at home as he wished to see me at my house; he came up, and he told me that the agents of Colonel Berkeley had got witnesses to swear that which would do.

6625. Well?—That he could give me a list of them; what they were going to swear, and what they were to be paid; he also said that old Lea was going to give it to me hot, as they wanted to prove me an agent, and failing to prove me an agent that he was to shift it on Byrne; he added that if I would give him 70 *l.* he would get old Lea out of the way; I told him that I did not care a rap for old Lea or any one they could bring to swear against me if they only told the truth. *G. Powell.*

6626. Have you paid him anything?—No.

6627. Have you paid him 21 *l.* 10 *s.*?—Most decidedly not.

6628. You have not paid him 21 *l.* 10 *s.* to give false evidence before this Committee?—Decidedly not.

6629. Did you not ask him to pass it lightly over?—Decidedly not.

[The Witness withdrew.

Mr. *Price* concluded his address on behalf of the sitting Member.

Mr. *Powell* was heard in reply.

Mr. WILLIAM HENRY GWINNETT, re-called; Examined by Mr. *Price.*

6630. I SHOULD like to ask a word as to the Bill which has been put in; you observe the initials?—I do.

6631. There is here, "Do. do., Mr. Byrne;" explain that to the Committee?—I observe there are three here; as I stated already I was in the habit of requiring vouchers for the charges; there is the name of Mr. Gabb, and Mr. Byrne, and G. S., which are the initials of George Sweeting; they were friends and supporters of Mr. Schreiber, and on receiving this I did as I have done in numerous other instances, paid it; considering these signatures to be evidence satisfactory to my mind that the work was done. Mr. *W. H. Gwinnett.*

6632. By the *Committee.*] What is the meaning of the initials G. S.?—George Sweeting.

6633. Was he one of the ward agents?—He was.

6634. Was Mr. Gabb?—He was.

6635. Mr. *Price.*] Mr. Gabb was the only one?—Yes.

6636. Does that represent that they had gone out with a fly?—It represents that the fly was had for the purposes of the election.

Mr. *W. H. Gwinnett.*

4 May 1866.

6637. By the *Committee.*] Were those several flys placed at the disposal of those three individuals on the day of the election?—No, I cannot say that.

6638. Mr. *Price.*] This is on the 4th of July?—Byrne's name is July the 4th; the date of hiring the fly is July the 4th, and the one by Gabb is June the 30th.

Mr. *Powell.*] It is headed, "To Mr. Schreiber's Committee."

Mr. *Price.*] It is headed "To Gwinnett, Esq."

Mr. William Byrne, was called in; and, having been sworn, was Examined by the *Committee*, as follows:

Mr. *W. Byrne.*

6639. What are you?—An auctioneer and valuer at Cheltenham.

6640. Do you keep a loan office?—I manage one of the loan societies; there are several; Mr. Chesshyre keeps a loan office.

6641. Do you recollect the last election?—Yes.

6642. Did you take any part in it?—I was a warm supporter of Mr. Schreiber there; I occasionally canvassed.

6643. By whose directions?—By no one's directions; merely from the interest I took in the cause.

6644. Had you any communication with any of his agents?—No, not as to canvassing at all.

6645. Nor as to the management of the election?—None whatever.

6646. Do you know the agents that were employed?—I know some of them; I know Mr. Rigg, Mr. Stroud, and Mr. Gwinnett.

6647. Had you any communication with them on the subject of the election?—Not at all.

6648. Are you quite certain of that?—Yes.

6649. Do you know Mr. Stroud?—Yes.

6650. Had you any communication with him?—None.

6551. Did you ever go out in a fly?—Yes, I went with Mr. Schreiber on one occasion.

6552. Any one else?—I do not remember.

6653. How did you get the fly?—I have picked them up when I have seen them; sometimes I have joined them in the street.

6654. Did you ever give up a day to canvassing?—No.

6655. Or two or three hours?—Yes.

6656. Did you have a fly placed at your disposal for that purpose?—No.

6657. Did you or not communicate with any of the agents to obtain a fly, for the purpose of canvassing?—Not at all.

6658. Do you know Holland, the fly proprietor?—Yes.

6659. Did you ever communicate to him to have a fly to canvass?—I cannot say.

6660. Did you ever have one of his flys?—I could not say.

6661. With Mr. Schreiber?—I have been once with Mr. Schreiber.

6662. Where did you go to then?—In the neighbourhood of St. Paul's.

6663. To whom?—To several voters.

6664. Is that the only occasion on which you went?—I think so.

6665. What day was that; how long before the election?—I really could not say; I should think about a fortnight.

6666. Is that your handwriting to the certificate to the fly-master, Mr. Holland (*handing a document to the Witness*)?—I do not think it is.

6667. Is that your signature?—I do not think it is.

6668. Is it like your signature?—It is like my signature; but I do not think it is my signature; I do not think I have seen it before.

6669. Will you swear it is not your signature; look at it a little more?—It is very like my writing; but I do not think it is.

6670. Just look at it again?—I should not like to swear it is not.

6671. Have you any doubt, looking at it again, that it is your signature?—Yes, I think it is.

6672. Why did you sign it?—I do not remember; I have not the slightest recollection whatever.

6673. Look at the item, "July the 4th, 7 *s.* 6 *d.*;" read it out aloud?—It is "ditto, ditto," that is hire of fly, three and a-half hours, Mr. Byrne, 7 *s.* 6 *d.*

6674. Looking at that, do you remember the transaction?—I do not.

6675. Or of being asked to sign it?—I do not; I have not the slightest recollection of the circumstance.

6676. You cannot recollect anything about it?—I cannot.

6677. Either the hiring the fly or being asked to vouch it?—No; still I think it is my signature.

6678. Look at the person by whom it is settled?—Mr. Holland I know very well.

6679. Are you sure he did not ask you to vouch that?—I do not recollect his doing so.

6680. Or Mr. Gwinnett's clerk?—I am sure he did not; I have no recollection of it.

6681. Do you know Mr. Powell?—Yes.

6682. Did you communicate with him at the time of the election?—About one hour on the day of the election.

6683. For what purpose?—He asked me to give him a lift in my fly.

6684. Do you know Ballinger, a voter?—Yes.

6685. Did you see him at the time of the election?—I did.

6686. For what purpose?—I did not communicate with him at all; I saw him.

6687. Did you see him with Powell?—I saw him in a room with Powell in some stores in Winchcomb-street; I was in the bar.

6688. Did you hear what was said?—I did not.

6689. Did you accompany Powell?—I did.

6690. Did he come to you at your office?—He did not; he met me in the street; he introduced himself to me; I have never seen him before.

6691. What did he say?—He asked me which way I was going; he said he was a supporter of Mr. Schreiber, and wanted me to give him a lift in my fly.

6692. Did

6692. Did he say a canvasser?—He did not; I had never previously seen him.

6693. Did you ever speak to Ballinger about his voting?—I did not.

6694. Did you suggest anything to him—any reason for his voting?—I did not.

6695. Did you suggest that a bet should be made about his vote?—I did not; I did not know anything about it until I saw it in the public papers.

6696. Do you read the Cheltenham papers?—Yes.

6697. Did you see your name as a committee man of Mr. Schreiber's?—I believe I was.

6698. Did you see it yourself?—I believe I did.

6699. Did you attend any committee-room there?—Yes.

6700. In Liverpool-place?—Yes.

6701. You have been there several times?—Yes, in and out.

6702. And acted as one of the committee?—I never acted as one of the committee.

6703. Do you know Biddle, a voter?—I know there is such a man.

6704. Did you ever go to him?—At his place Mr. Powell stopped; he asked me to give him a lift in my fly; I wanted to speak to a man named Baugh, who lived in the garden opposite, and a fly filled with Birmingham roughs came up to me, under the command of a man named Nutt, a tailor; they said to me: "We intend to stick to you;" I said, "What do you desire?" Nutt said, "Give them some beer;" I went into Biddle's with them, and treated them with beer, and I was in the house perhaps about two minutes.

6705. Why did you treat those fellows?—Because I would rather make them friends than enemies.

6706. Were they attached to your party?—No, to the opposite party.

6707. Was this the same occasion that you saw the other voter?—It was on the polling day; I did not see Biddle.

6708. Do you mean to say that the meeting was purely accidental?—With Powell it was so; I had never seen him before.

6709. Who had the fly?—I had.

6710. Whose fly was it?—It was one of the flys belonging to the party; I was anxious to assist in getting up votes, and Mr. Stroud placed this fly at my disposal.

6711. Did you see him?—I went direct from my house to the committee-room.

6712. Did you speak to Mr. Stroud?—Yes.

6713. Did he say you were to have a fly?—He told me I could have one.

6714. Had you spoken to him on any previous day about the fly?—I had not.

6715. What day was it that you had seen Ballinger?—The same morning, after I had been to Biddle's house.

6716. Did you go in the fly to Ballinger's house?—I went into Alder's porter stores to get a glass of beer; I had been there two minutes, when I left Powell with a man named Cadwallader; I took this man to vote in the west ward; I then returned to Alder's, where I had left Powell at the door; Powell came out and asked me if I would give him another lift in the fly; he rode with me fifty yards, when he got down to speak to a man named Pole, and I saw no more of him; and I did not see him again for three or four months.

Mr. *W. Byrne.*

4 May 1865.

6717. Did you ever see Mr. Powell, to your knowledge, before that day?—Never.

6718. And not after that day for three or four months?—No.

6719. How came you to state that you had no communication with the agent?—I understood you meant as to getting a fly for canvassing purposes.

6720. What did you get a fly for on the day of the election?—Merely to assist in the election.

6721. Did you advance any money to Powell?—No.

6722. Do you know a man named Cockrell?—I do; he is one of the trustees of the loan society.

6723. Was any money advanced by the loan society, to your knowledge, to Cockrell or any other person?—Not a penny.

6624. Have you any knowledge of Cockrell paying money to Ballinger or to other people?—I have not.

6725. You have never heard of that?—I have never heard of that in any shape.

6726. Did you ever say to Ballinger that he was to have 5*l.* for his vote?—Never; the only occasion I ever spoke to Ballinger was when he met me in the street some fortnight after the election; he told me he had been working very hard at the election, and ought to be paid; I told him to go to the party who had employed him.

6727. You say yourself you have never paid any money?—Never, in any shape or form.

6728. Have you been examined by the agents for the sitting Member, and had your evidence taken down?—I gave my evidence to Mr. Rigg, in Cheltenham, before I came here.

6729. Is the evidence you gave to him the same as you have given to-day?—I believe so.

6730. Why were you not called as a witness?—I have been summoned as a witness by the opposite party, and expected to be called.

6731. Do you know the police superintendent, Sayers?—Yes.

6732. Do you recollect anything about taking a voter up in his presence, when he was near the poll?—No.

6733. Do you recollect Palmer coming to you on the day of the poll?—I recollect Palmer coming and asking for a polling ticket.

6734. Were they printed on papers or cards?—On cards.

6735. Such as you could fill up?—No; a ticket, on which was the number of the register and the booth in which they were to vote.

6736. Those tickets are printed for every voter, and kept there?—They are.

[The Witness withdrew.

GEORGE POWELL, re-called; Examined by the *Committee*.

G. Powell.

4 May 1866.

6737. Do you know Byrne?—Yes.

6738. Were you acquainted with him previous to the election?—I was not.

6739. When was it you first saw him?—The day of the election.

6740. Did you introduce yourself to him?—I did.

6741. Where was it?—I believe in the lower part of the High-street, Cheltenham.

6742. Was he driving or walking?—He was walking, and I overtook him.

6743. What did you do; did you go with him?—I did; I overtook him, and I introduced myself to him; I said, "I am a supporter of Mr. Schreiber, and you are also;" and I asked him how the election was going on; and he said he was going in the direction of Maude's Elm; I said, "I wish to go in that direction too," and I would walk with him; he said he had a fly at the corner, in St. George's-street, and he would give me a lift.

6744. Did you go with him in the fly?—I did.

6745. How far?—To a man named Biddles; I went into the house, and left Byrne outside.

6746. Did you come out into the fly again; how long were you with him?—Something under one hour.

6747. Were you with him any other day?—I was not.

6748. Was that the only day?—That was the only day I saw him.

6749. Had you made any concerted arrangement with him about the evidence?—Certainly not; I never spoke to him till to-day.

6750. Then he was not in that little concerted arrangement about Barnfield?—No, he was not.

6751. Do you know Mr. Cockrell?—I do.

6752. Have you ever received any money from him?—Not a farthing.

[The Witness withdrew.

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D.

Digby, Frederick. Statement in detail, and cross-examination thereon, upon the subject of a debt due from witness to Mr. Barnfield at the time of the election, in respect of which it is averred by witness that Barnfield endeavoured to intimidate him from voting for Colonel Berkeley, *Digby* 3009 *et seq.*

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E.

Election of 1859. Witness was a candidate for Cheltenham in 1859, and was beaten by only twelve votes, *Schreiber* 5019, 5020.

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he must have it from one side or the other, he did not care which," *Lea* 601–645. 662–670.

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Witness positively denies having given O'Brien 20*l.* with a view to his keeping back certain portions of his evidence, *Powell* 6616–6629.

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Witness's accounts with Mr. Gwinnett are closed, and he has not the slightest intention to pay anything more, nor the slightest expectation of being called upon to do so, *Schreiber* 5138, 5139.

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F.

Foyle, Martin. Witness, who voted for Mr. Schreiber, was employed for twenty-one days as a messenger, at 5*s.* a day; services rendered by him in this capacity, *Foyle* 3848–3874.

G.

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Gillett, Solomon. Statement as to witness, who voted for Mr. Schreiber, having been employed as a messenger for fifteen days, at 5*s.* a day; when employed as a messenger nothing was said about his vote, *Gillett* 3775–3808. 3833–3847.

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H.

Hands, William. Circumstance of Mr. Fortescue having canvassed witness for Mr. Schreiber, and having said that witness should obtain a certain appointment as gas inspector if he would support Mr. Schreiber, *W. Hands* 3652-3669. 3706 —— Reference to the proceedings of Mr. Schreiber, in company with two or three others, in canvassing on the election day, *ib.* 3670-3677. 3690-3696. 3707-3709——Statement by a man of the name of Winter that he could get witness 10 *l.* if he would vote for Mr. Schreiber, *ib.* 3678-3689——Explanation as to witness having, before the election, applied to Mr. Byrne for a loan of 15 *l.*, and having said that, if it were granted, both he and his father should vote for Mr. Schreiber, *ib.* 3697-3705.

Witness was present on the occasion when Mr. Fortescue solicited her husband for his vote, and confirms the evidence of the latter relative to the promise held out by Mr. Fortescue in regard to the office of gas inspector, *Amelia Hands* 3710-3774.

Statement in positive denial of the evidence of the voter Hands; witness was never at the man's house in his life, *Fortescue* 5448-5486. 5507-5510.

J.

Jenkins, ——. Conversation between George Powell and witness relative to the vote of a man named Jenkins, *O'Brien* 1487-1491. 1556-1559.

Jones, Thomas. Evidence tending to show that Thomas Jones was induced to vote for Mr. Schreiber by Edward Parsonage, and that he received money through the instrumentality of the latter, *Simons* 3875 *et seq.*

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K.

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Details as to witness having called upon the voter Knowles to thank him for the promise of his support; denial that a word was said about money, or that any promise whatever was made by witness, *Schreiber* 5104-5121. 5218-5286. 5358, 5359.

L.

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Lea, John. (Analysis of his Evidence)—*continued.*

Further explanations upon the subject of witness having been sent away from Cheltenham by the Liberal party; how his expenses were paid further adverted to, 671–680. 694–745——Statement with further reference to witness's visit to Mr. Stroud's office; he was far from sober when he made a certain statement to Mr. Stroud about the election, 681–693.

Lea, John, Junior. (Analysis of his Evidence).—Statement in support of certain portions of the evidence of witness's father in regard to his interviews with Powell and Palmer, and the agreement as to paying for the votes of Sims and Ballinger, 746 *et seq.*

M.

Messengers. Account of expenditure for Mr. Schreiber in respect of messengers employed for various periods between 19th June and 12th July 1865, *Ev.* 2——Statement as to witness, who voted for Mr. Schreiber, having been employed as a messenger for fifteen days at 5 *s.* a day; when appointed a messenger nothing was said about his vote, *Gillett* 3775–3808. 3833–3847——Witness, who voted for Mr. Schreiber, was employed for twenty-one days as a messenger at 5 *s.* a day; services rendered by him in this capacity, *Foyle* 3848–3874.

Witness alone employed persons as messengers, and required vouchers that his work had been performed before he made any payment, *Gwinnett* 5881–5886. 5896–5898—— Large number of the messengers who were not voters, *ib.* 5935. 5938–5940.

Moon, Henry James. Details relative to the employment of witness as a watcher, on the side of Mr. Schreiber; nothing was said about witness's vote when he applied to Mr. John Laurence for employment, *Moon* 3137 *et seq.*——Statement as to witness having received something over 1 *l.* for a week's employment before the election, and as to his having paid this money to a man named Thomas Cook, to whom he owed it, *ib.* 3195. 3316–3319 *et seq*——Witness voted for Mr. Schreiber, *ib.* 3311.

O.

O'Brien, Charles. Information relative to several communications between George Powell and witness upon the question of witness procuring votes for Mr. Schreiber, Powell promising to pay for them, *O'Brien* 1465 *et seq.*——Conversation between Powell and witness relative to the vote of a man named Jenkins, *ib.* 1487–1491. 1556–1559—— Statement as to its having been arranged between Powell and William Baird that the latter was to vote for Schreiber, *ib.* 1503–1518——Arrangement also in regard to a voter named Stamp supporting Schreiber, for which Powell agreed that he was to have 5 *l.*, *ib.* 1520–1539.

Circumstance of Powell having a day or two after the preceding transactions told witness that the arrangements with Baird and Stamp must be broken off, as regards the payment of any money to them, *O'Brien* 1540–1554——Communication since the election between Powell and witness upon the question of the evidence which the former was in a position to give with respect to corrupt practices at the election, *ib.* 1561–1570.

Cross-examination with reference to conversations between Mr. Cheshyre and witness as to witness revealing the transactions in which Powell was concerned, *O'Brien* 1571–1588——Information relative to communications between Mr. Cheshyre and Baird about the latter voting for Berkeley, *ib.* 1588–1610——Communication also between Mr. Cheshyre and Stamp with reference to the information which it was in the power of the latter to give, *ib.* 1611–1638.

Admission as to Powell and witness having recently had some conversation in regard to the evidence of the latter, and as to Powell having given him 20 *l.* on the understanding that he was to keep back information from the Committee, *O'Brien* 1647–1732.

Cross-examination with reference to a letter from witness to the voter O'Brien in April last, demanding some money due to Messrs. Stott & Co., *Stroud* 6311–6340.

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P.

Palmer, Joseph. Evidence tending to show that Joseph Palmer received money in respect of his vote at the last election, *Seys* 3937–3986——Attempt by witness to serve Palmer with a Speaker's Warrant, but without success, *Clarke* 4335–4337——Statement as to witness having seen Mr. Schreiber and Palmer together for a considerable time on the polling day, *Cook* 4420–4446.

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On the polling day witness never went about with a man named Palmer, *Schreiber* 5068-5070——Witness has not any knowledge where the voter Palmer now is, *Stroud* 6284-6291.

Parsonage. Edward. Evidence tending to show that Thomas Jones was induced to vote for Mr. Schreiber by Edward Parsonage, and that he received money through the instrumentality of the latter, *Simons* 3875 *et seq.*

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Evidence in detail relative to the part taken by George Powell, (who is a commercial traveller at Cheltenham), in conjunction with witness and others, in bribing certain voters to poll for Mr. Schreiber, *J. Lea* 41 *et seq.*——Particulars relative more especially to the bribing of two men named Sims and Ballinger, and the part taken by Powell in the matter, *ib.*——Several communications between witness and Powell at the time of election with reference to voters being obtained in support of Mr. Schreiber, *ib.* 90 *et seq.*

Statement as to Mr. George Powell, commercial traveller, having been in communication with witness's father relative to the votes of two men named Sims and Ballinger, *J. Lea, jun.* 746 *et seq.*——Information relative to certain interviews between John Lea, George Powell, and witness, and the subsequent receipt of 5 *l.* by witness in respect of his vote, *Ballinger* 884 *et seq.*——Concurrence of testimony as to the active part taken by Powell in obtaining votes for Mr. Schreiber; reference more especially to the cases of Ballinger and Sims, *Marshall* 1152 *et seq.*; *Sherman* 1299-1323.

Information relative to several communications between George Powell and witness, upon the question of witness procuring votes for Mr. Schreiber, Powell promising to pay for them, *O'Brien* 1465 *et seq.*——Communication since the election between George Powell and witness upon the question of the evidence which the former was in a position to give with respect to corrupt practices at the election, *ib.* 1561–1570.

Examination relative to some communication between Powell and witness previously to the election; doubt as to witness's vote having been directly referred to, though money was spoken of, *Baird* 1733 *et seq.*——Belief as to Powell having been at Mr. Stroud's house when the latter came to solicit witness for his vote, *ib.* 1840–1848——Witness positively denies all knowledge of Powell, *Stamp* 1949-1958. 1996-2003——Statement as to George Powell and Mr. Barnfield having endeavoured to induce witness to leave Cheltenham on the polling day, he having promised to vote for Colonel Berkeley, *Crewe* 2354-2378——Witness saw Powell and Mr. Byrne, of the loan office, together on the polling day, *ib.* 2379-2383.

Evidence relative to the offer of Powell to purchase a certain print or picture in the house of Thomas Gibbons as a means of obtaining his vote for Mr. Schreiber, *Maria Gibbons* 2709-2741; *Emily Gibbons* 2742 *et seq.*

Concurrence of testimony as to an attempt made by George Powell to bribe James Biddle with the sum of 5 *l.* to vote for Mr. Schreiber, *Eliza Biddle* 2809-2890; *J. Biddle* 2911–2948; *G. Compton* 2968-3008.

Witness saw Powell and Mr. Schreiber together on one occasion; there were three or four others with them, *Isher* 4037-4071——Statement as to witness having seen Mr. Schreiber in the company of Powell and some others canvassing together, *Webb* 4072-4113——Witness saw Powell and Byrne together on the day of the election, and saw Powell go by himself into the house of a voter of the name of Gibbons, *Pike* 4114–4169; *Clarke* 4320–4354——Testimony as to the active part taken by Powell in canvassing, *Nutt* 4186–4214.

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Statement as to Powell having been with Mr. Schreiber and several others who came to witness's house to ask him for his vote; remark made by Powell on this occasion, *Brinsdon* 3363-3397.

Witness saw George Powell for the first time during the present inquiry, he never heard of him previously, and never was accompanied by him in his canvass, *Schreiber* 5034–5038. 5122–5135. 5140–5160——Concurrence of evidence to the effect that Powell was not present at all when the voter Brinsdon was canvassed, *C. Schreiber* 5093–5103. 5193-5217; *Captain Schreiber* 5375–5382. 5412–5418; *Agg-Gardiner* 5423–5447; *Mallery* 5944–5958——Witness never saw Powell with his brother at the time of the election; in fact he never saw him at Cheltenham at all, and never heard of him before the present inquiry began, *Captain Schreiber* 5383. 5402——Statement as to witness having recently pointed out Powell to Mr. Gardiner, and as to witness himself (who is Inspector

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Inspector of Nuisances at Cheltenham) not having heard of Powell's name in connection with the election, nor known his appearance until February last, *Morgan* 5511-5527. 5535 *et seq.*——Witness, to the best of his recollection, never saw Powell at Cheltenham at all, *Mallery* 5946–5953. 6203——Concurrence of witnesses in testifytng that they never, to their recollection, saw Powell before the present inquiry, *C. Schreiber* 6201, 6202; *Mallery* 6203; *Captain Schreiber* 6204-6206; *Agg-Gardiner* 6207-6211.

Details relative to the arrangement between witness and Powell, with a view to obtaining votes for Mr. Schreiber, *Barnfield* 5639 *et seq.*——Witness has had no communication with Powell since the election as to the money spent by him, nor is he aware that Powell spent any money corruptly, *ib.* 5842–5856——Frequent occasions upon which witness and Powell went about together, *ib.* 5749–5762. 5830-5840——Powell and witness were never in any committee-room together, *ib.* 5763-5774. 5821, 5822. 5831.

Witness has not the slightest recollection of seeing George Powell during the election, *Gwinnett* 5899–5902——Powell was in no way engaged to act for Mr. Schreiber, *ib.* 5903.

Witness never employed nor authorised George Powell to canvass voters, *Stroud* 5956-5989——Witness did not see Powell at the North Ward committee-room on the polling day, *ib.* 6012–6017——Details (brought out in cross-examination) with reference to the communications which have taken place between witness and George Powell on the subject of the election; statement relative more especially to a certain letter from witness to Powell, *ib.* 6075 *et seq.*——Witness wrote but one letter to Powell when absent from Cheltenham, and never sent him a telegram, *ib.* 6212–6218. 6381.

Witness positively denies having engaged or authorised Powell to act in any way in connection with the election, *Stroud* 6382-6389——Neither on the nomination day, nor on the polling day, did witness see Powell at all, *ib.* 6390-6403——Since witness has been in London he has had no communication with Powell, *ib.* 6420.

With regard to a certain letter from Mr. Stroud to witness, when absent from Cheltenham before the election, such letter has, to the best of witness's knowledge, been destroyed, *Powell* 6425–6428——Witness had only one letter from Mr. Stroud, and did not receive any telegram from him, *ib.* 6429, 6430.

Further statement relative to the letter written by witness to Powell about his support at the election; explanation as to witness having destroyed a copy of this letter, *Stroud* 6431-6461.

Witness left Cheltenham on business about a fortnight or three weeks before the election; before leaving he told Mr. Barnfield, but did not tell Mr. Stroud, where his address would be, *Powell* 6462–6479——Witness repeats that he received only one letter from Mr. Stroud, which he destroyed as being unimportant; it merely mentioned the time fixed for the nomination and the election, and expressed a hope that witness would return and vote for Mr. Schreiber, *ib.* 6475-6477. 6484-6488——Witness, whilst absent, had some correspondence with Mr. Barnfield about the election, but has not kept the the letters, *ib.* 6478–6483.

Return of witness to Cheltenhem on the Saturday before the election, *Powell* 6489-6492——Communication with Mr. Stroud on Monday before the election, when witness promised to vote for Mr. Schreiber; nothing was said about witness acting as canvasser, nor did he see Mr. Stroud again until some weeks after the election, *ib.* 6493-6504——Circumstances under which witness saw Mr. Schreiber for a few minutes, and was introduced to him, one day when canvassing; this was the only time he has ever spoken to him, *ib.* 6504-6523.

Statement relative to a conversation between Barnfield and witness on the Monday before the election, when the former said the Liberal party were bribing right and left, and mentioned several voters in respect of whom he asked witness to ascertain whether bribery had been practised, *Powell* 6524-6548——Denial that Barnfield asked witness, or that witness undertook, to bribe voters to support Mr. Schreiber, *ib.* 6544-6549——Promise by Barnfield to be answerable for any money expended by witness in treating or in cab hire, *ib.* 6550–6555——Witness expended probably a sovereign, but has never asked, and never expects, to be repaid, *ib.* 6556–6561.

Witness was never in any of Mr. Schreiber's committee-rooms, *Powell* 6562. 6570-6576——He returned to Cheltenham before the election in consequence of a letter from Mr. Barnfield pressing him to do so, *ib.* 6563-6569——Witness positively denies that he ave 20 *l.* to the O'Brien with a view to his keeping back portions of his evidence, *ib.* 6616-6629——Statement that witness did not know Mr. William Byrne previously to the election, and that he had no communication with Byrne about the evidence before the Committee, *ib.* 6737–6750——Witness has never received any money from Mr. Cockerell, *ib.* 6751, 6752.

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witnesses Powell and Barnfield, to induce voters, by corrupt means, to vote against Colonel Berkeley, *Rep.* iii.

Preston, William. Statement as to witness having been induced to vote for Mr. Schreiber through fear that if he did not so vote he should be pressed for some arrears of rent which he owed at the time of the election, *Preston* 3990–4017.

Witness was sent by Mr. Gwinnett to William Preston, to ask him to vote for Mr. Schreiber, and also to say that, whether he voted or not, he must pay some arrears of rent due at the time, *Lowe* 4018–4036.

S.

Schreiber Charles (Member of the House). (Analysis of his Evidence).—Witness was a candidate for Cheltenham in 1859, and was beaten by only twelve votes, 5019–5020 ——He has since attended very closely to the register, and it was well known that he would be a candidate at the next election, 5031–5024——Mr. Gwinnett was witness's agent, 5025——There was no regularly organised committee, 5026——Witness was very active in canvassing, and concluded his canvass on the Saturday previous to the nomination, 5028–5033.

Statement that witness saw George Powell for the first time during the present inquiry, that he never heard of him previously, and never was accompanied by him in his canvass, 5034–5038. 5122–5135. 5140–5160.——Proceedings of witness on the nomination day; he did nothing in the way of canvassing, 5039–5063——On the polling day witness never went about with a man named Palmer, 5068–5070.

Particulars relative to the canvass by witness of the voter Skinner; positive denial that anything was said to Skinner about money, or that any promise was held out to him either directly or through Mr. Stroud, 5071–5092. 5161–5192. 5360——Circumstances connected with the canvass by witness, and some of his friends, of the voter Brinsdon; George Powell was not present, 5093–5103. 5193–5217——Details as to witness having called upon the voter Knowles to thank him for the promise of his support; denial that a word was said about money, or that any promise whatever was made by witness, 5104–5121. 5218–5286. 5358, 5359——Statement as to the persons by whom witness was generally accompanied in his canvass, 5122–5132.

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Explanation in regard to Mr. William Byrne having sometimes accompanied witness in his canvass; Byrne had no authority whatever to obtain votes for witness, nor was any payment ever made or promised to him as an agent of witness, 5287–5352—— Witness repeats that he had not any committee, certain committee-rooms having been used only on the polling day, 5353–5357——There were sub-agents under Mr. Gwinnett in the several districts, who were paid by him, and received their instructions from him, 5361–5368.

Schreiber, Mr. Resolution of the Committee that Mr. Schreiber is duly elected, *Rep.* iii.

Sherman, Elijah. (Analysis of his Evidence).—Statement as to witness having seen John Lea, George Powell, and the voter Sims, at the "Cooper's Arms" on the nomination day, 1299–1323——Cross-examination upon the part taken by witness in giving money to Lea, when he left Cheltenham, so as to be out of the way of the Conservative party, 1324–1377. 1434–1464——Examination relative to an interview between Mr. Cheshyre and Lea at witness's house, with reference to the information to be given by Lea in regard to bribery, *ib.* 1378–1433.

Show of Hands. The show of hands at the election was in favour of Colonel Berkeley, *Bell* 13.

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TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

CHELTENHAM ELECTION PETITION.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
7 *June* 1866.

333—I.

Under 2 *oz.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

GALWAY TOWN ELECTION PETITIONS;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
17 *May* 1866.

Thursday, 3*d May* 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petitions complaining of an undue Election and Return for the Borough of Galway:—

Robert Culling Hanbury, Esq.	Francis Sharp Powell, Esq.
Lawrence Oliphant, Esq.	John Reginald Yorke, Esq.

HENRY HUSSEY VIVIAN, Esq. (Glamorgan), Chairman.

Friday, 4*th May* 1866.

Ordered, THAT the Petitions relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Twelve of the clock.

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REPORT.

GALWAY TOWN ELECTION COMMITTEE.

Monday, 14*th May* 1866.

The House informed, that the Committee had determined,—

That Michael Morris, Esq., is duly elected a Burgess to serve in this present Parliament for the Town or Borough of Galway.

That Sir Rowland Blennerhassett, Bart., is duly elected a Burgess to serve in this present Parliament for the Town or Borough of Galway.

The House further informed, that the Committee had agreed to the following Resolutions:—

That the Petition presented by John Orrell Lever, Esq., so far as relates to Michael Morris, Esq., is frivolous and vexatious.

That the Petition presented by Nicholas Stubber, Esq., so far as relates to Michael Morris, Esq., is frivolous and vexatious.

That it was proved to the Committee that John Dillon received 5 *l.* from John Kirwan.

That James Mullins received 5 *l.* from Michael O'Brien.

That Patrick Needham received the value of 5 *l.* in clothes and money from John Kirwan.

That Andrew Coen received 5 *l.*

That John Garraghty, Peter Garraghty, John Barritt (senior and junior), Geoffrey Murphy, Benjamin Matthews, Michael Curran, and other voters, received the value of 5 *l.* in money and bread stuffs from James Power Keane, on account of having voted for Sir Rowland Blennerhassett, Bart.

That it was not proved to the Committee that such bribery was committed with the knowledge or consent of Sir Rowland Blennerhassett, Bart., or his agents.

That the Committee have reason to believe that corrupt practices have extensively prevailed at the last Election for the Town or Borough of Galway.

PROCEEDINGS OF THE COMMITTEE.

Saturday, 5th May 1866.

NAMES of the Members called over;—all present.

The Committee agreed to the following Preliminary Resolutions:—

That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

That if costs be demanded by either party under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

That the Committee expect, that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member or his agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered to do so.

The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not have been previously cognisant.

That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

That no person shall be examined as a Witness who shall have been in the room during any of the proceedings (with the exception of the Sitting Members and their agents, whose names shall be handed in), without the special leave of the Committee.

That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

That the Committee will follow the practice of the courts of law with regard to speeches, as laid down in Section 18 of the "Common Law Procedure Act, 1854."

That if leading Counsel are not prepared to sum up the case on either side, when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel.

The Petition of *John Orrell Lever*, was read.

The Petition of *Nicholas Stubber*, was read.

Counsel for the Petitioner John Orrell Lever:—Mr. Serjeant *Ballantine* and Mr. *Inderwick*.

Agents:—Mr. *Henry E. Brown* and Mr. *E. Concanon*.

Counsel for the Petitioner Nicholas Stubber:—Mr. *Montagu Chambers* and Mr. *William Ribton*.

Agent:—Mr. *R. Fowke*.

Counsel for Sir Rowland Blennerhassett, Bart.:—Mr. *O'Malley*, Q.C., Mr. *Coffey*, Q.C., Mr. *Waters*, and Mr. *Hennessey*.

Agent:—

Agents:—Mr. *Sharkey* and Messrs. *Joynt* and *Redington*.

Counsel for Mr. Morris:—Mr. *Rodwell*, Q.C., Mr. *Blake*, Q.C., and Mr. *Pembroke Stephen*.

Agents:—Messrs. *Holmes & Co.*, and Mr. *Thomas Higgins*.

Mr. Serjeant *Ballantine* opened the case in support of the Petition of Mr. Lever.

The short-hand writer was sworn by the Chairman.

Mr. *James Swinger*, sworn; examined by Mr. *Inderwick*; produced writ and return for the last election.

Mr. *Ralph Cusack*, sworn; examined by Mr. *Inderwick*; handed in five poll books for the last election.

Mr. *James Flan. Keary*, sworn; examined by Mr. *Inderwick*.

On the question, "Now with respect to this treating list;"

Mr. *Rodwell* objected, that "from the 15th day of May to the 18th day of July 1865," was not a sufficient definition of the word "times," in No. 5 of the preliminary resolutions.

Mr. *O'Malley* was heard on the same side.

Mr. *Inderwick* was heard in answer to the objection.

Room cleared.—The Committee determined that the treating list, as put in, did not comply with the preliminary resolution.

Parties called in, and informed of the decision of the Committee.

Mr. *Inderwick* applied for leave to amend the list.

Mr. *Rodwell* was heard against the application.

Mr. *O'Malley* was heard on the same side.

Mr. *Inderwick* was heard in reply.

Room cleared.—The Committee decided that the list could not be amended.

Parties called in, and informed of the decision of the Committee.

Examination resumed; cross-examined by Mr. *Rodwell*; cross-examined by Mr. *Coffey*; re-examined by Mr. *Inderwick*.

Mr. *James Mullins*, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Rodwell*; cross-examined by Mr. *Coffey*; re-examined by Mr. Serjeant *Ballantine*.

Mr. *Thomas Madden*, sworn; examined by Mr. *Inderwick*.

Mr. *O'Malley* objected to the course of examination, on the ground that the evidence referred to persons who appeared on the bribery list, as "Seven men, names unknown."

The Committee decided that no evidence, as to bribery of these seven men, could be received.

Cross-examined by Mr. *Rodwell*; cross-examined by Mr. *Coffey*; re-examined by Mr. *Inderwick*.

[Adjourned to Monday, at Eleven o'clock.

Monday, 7th May 1866.

NAMES of the Members called over;—all present.

Mr. *O'Malley* applied that the Petitions of Mr. Stubber and Mr. Lever, should be treated as one Petition.

Room cleared.—The Committee deliberated.—Parties called in, and informed that the Committee refused the application.

Mr. *Thomas Dillon*, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Blake*; cross-examined by Mr. *Coffey*; re-examined by Mr. Serjeant *Ballantine*.

Mr. *James Ormsbee*, sworn; examined by Mr. *Inderwick*.

Mr. Serjeant *Ballantine* applied to the Committee for leave to amend the list, by striking out the name of John Redington, as the person alleged to have bribed the witness, and inserting in its stead the name of Thomas Fahy.

Mr. *Coffey* was heard against the application.

Mr. Serjeant *Ballantine* was heard in reply.

Room cleared.—The Committee deliberated, and determined to accede to the application, on the condition that the counsel undertook to give evidence of the agency of Fahy.—Parties called in, and informed thereof.

Mr. *Patrick Needham*, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Blake*; re-examined by Mr. Serjeant *Ballantine*.

Mr. *Andrew Coen*, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Blake*; cross-examined by Mr. *Coffey*; re-examined by Mr. Serjeant *Ballantine*.

Mr. *Edmund John Concanon*, sworn; examined by Mr. *Inderwick*; cross-examined by Mr. *Blake*; cross-examined by Mr. *Coffey*; re-examined by Mr. *Inderwick*.

Mr. *Michael Qualter*, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Rodwell*; cross-examined by Mr. *Coffey*; re-examined by Mr. Serjeant *Ballantine*.

Mr. *Flan Keary*, sworn; examined by the Chairman.

Mr. *Thomas Madden*, sworn; examined by the Chairman.

Mr. *John Kirwan* was called in, and cautioned by the Chairman, that his conduct in having interfered with parties about to be examined as witnesses was most improper, and that if repeated the Committee would report him to the House.

[Adjourned to To-morrow, at Eleven o'clock.

Tuesday, 8th May 1866.

Names of the Members called over;—all present.

Mr. *Michael Duggan*, sworn; examined by Mr. *Inderwick*; cross-examined by Mr. *Rodwell*; re-examined by Mr. Serjeant *Ballantine*.

Mr. *Edward Murdon*, sworn; examined by Mr. *Inderwick*; cross-examined by Mr. *Rodwell*; cross-examined by Mr. *O'Malley*.

Mr. *Walter Christopher Staunton*, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Rodwell*; re-examined by Mr. Serjeant *Ballantine*.

Mr. Serjeant *Ballantine* stated that that was his case.

Mr. *Rodwell* objected that there was not sufficient evidence of agency against Mr. Morris to render it necessary for him to call any evidence.

Room cleared.—The Committee deliberated, and decided that the case against Mr. Morris must proceed.

Parties called in, and informed thereof.

Mr. *O'Malley* applied that the Petition of Mr. Nicholas Stubber should be heard before he was called on to commence his defence.

Mr. *Montagu Chambers* was heard against the application.

Mr. *O'Malley* was heard in reply.

The Committee determined to accede to the application.

Mr. *Montagu Chambers* opened the case in support of the Petition of Mr. Nicholas Stubber, and called the following witnesses:

Mr. *John Morgan*, sworn; examined by Mr. *Ribton*.

Mr. *James Keane*, sworn; examined by Mr. *Ribton*.

[Adjourned to To-morrow, at Eleven o'clock.

Wednesday, 9th May 1866.

NAMES of the Members called over;—all present.

Mr. *James Campbell,* sworn; examined by Mr. *Ribton*; cross-examined by Mr. *Coffey*; re-examined by Mr. *Ribton.*

Mr. *James Ormsbee,* sworn; examined by Mr. *Montagu Chambers*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Montagu Chambers.*

Mr. *John Hart,* sworn; examined by Mr. *Montagu Chambers.*

The whole of the evidence given in the former Petition was taken as read.

Mr. *Montagu Chambers* stated that that was his case.

Mr. *Rodwell* addressed the Committee on behalf of Mr. Morris, one of the sitting Members, and called the following witnessess:—

Mr. *Michael Morris,* sworn; examined by Mr. *Blake*; cross-examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Montagu Chambers*; re-examined by Mr. *Rodwell.*

Mr. *Thomas Higgins,* sworn; examined by Mr. *Rodwell.*

Mr. *Rodwell* summed up the case on behalf of Mr. Morris.

Mr. Serjeant *Ballantine* stated that it was not his intention further to press the case against Mr. Morris.

Mr. *Montagu Chambers* made a similar statement on behalf of Mr. Stubber.

Mr. *Rodwell* applied that the petitions of Mr. Nicholas Stubber and Mr. Orrell Lever, so far as they affected the case against Mr. Morris, might be held to be frivolous and vexatious.

Mr. Serjeant *Ballantine* was heard against the application.

[Adjourned to To-morrow, at Two o'clock.

Thursday, 10th May 1866.

NAMES of the Members called over;—all present.

Mr. Serjeant *Ballantine* was further heard against the application that the petition of Mr. John Orrell Lever might be held to be frivolous and vexatious.

Mr. *Montagu Chambers,* on the part of Mr. Nicholas Stubber, was also heard against the application.

Mr. *Rodwell* was heard in reply.

Room cleared.—The Committee deliberated.

Resolved, "That the petition presented by John Orrell Lever, Esq., so far as relates to Michael Morris, Esq., is frivolous and vexatious."

Resolved, "That the petition presented by Nicholas Stubber, Esq., so far as relates to Michael Morris, Esq., is frivolous and vexatious."

Parties called in, and informed of the above Resolutions.

[Adjourned to To-morrow, at Eleven o'clock.

Friday, 11*th May* 1866.

NAMES of the Members called over;—all present.

Mr. Serjeant *Ballantine* summed up the case in support of the Petitioner John Orrell Lever.

No Counsel appearing in support of the petition of Nicholas Stubber,—

Mr. *O'Malley* was heard in reply on the whole case.

Room cleared.—The Committee deliberated.

Resolved, "That Michael Morris, Esq., is duly elected a Burgess to serve in this present Parliament for the Town of Galway."

Motion made and Question put, "That Sir Rowland Blennerhassett, Bart., is duly elected a Burgess to serve in the present Parliament for the Town of Galway—(Mr. *Lawrence Oliphant*).

The Committee divided.

Ayes, 4.	Noe, 1.
Mr. Hanbury.	Mr. Reginald Yorke.
Mr. Francis Powell.	
Mr. Lawrence Oliphant.	
Mr. Hussey Vivian.	

Resolved, "That Sir Rowland Blennerhassett, Bart., is duly elected a Burgess to serve in the present Parliament for the Town of Galway."

Resolved,—

"That it was proved to the Committee, that John Dillon received 5 *l.* from John Kirwan.

"That James Mullins received 5 *l.* from Michael O'Brien.

"That Patrick Needham received the value of 5 *l.*, in clothes and money, from John Kirwan.

"That Andrew Coen received 5 *l.*

"That John Garraghty, Peter Garraghty, John Barritt (senior and junior), Geoffrey Murphy, Benjamin Matthews, Michael Curran, and other voters, received the value of 5 *l.* in money and bread stuffs from James Power Keane, on account of having voted for Sir Rowland Blennerhassett, Bart."

Resolved, "That it was not proved to the Committee that such bribery was committed with the knowledge or consent of Sir Rowland Blennerhassett, Bart., or his agents."

Resolved, "That the Committee have reason to believe that corrupt practices have extensively prevailed at the last election for the Town of Galway."

Parties called in, and informed of the decision of the Committee.

Ordered, That the above Resolutions, together with those agreed to yesterday, be reported to the House.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Saturday, 5th May 1866.

HENRY HUSSEY VIVIAN, Esq., in the Chair.

Mr. James Zwinger was called in; and, having been sworn, was Examined by Mr. *Inderwick*, as follows:

Mr. *J. Zwinger*, 5 May 1866.

1. You are a Clerk in the Crown Office?—Yes.
2. What was the date of the election for the borough of Galway, and who were returned?—The indenture is dated the 17th of July, and Michael Morris and Sir Rowland Blennerhassett appeared to have the majority.
3. Does it appear that the date of the election is the 17th of July?—That is the date of the indenture.

[The Witness was directed to withdraw.

Mr. Ralph Smith Cusack was called in; and, having been Sworn, was Examined by Mr. *Inderwick*, as follows:

Mr. *R.S.Cusack.*

4. Are you Clerk of the Hanaper?—I am.
5. Do you produce the poll books of the last election for Galway?—I do; there are five books.

Mr. *Montagu Chambers* said, that perhaps the Committee would be kind enough to take this formal evidence, as given in the case of Mr. Stubber's petition also.

The *Chairman* stated, that the Committee would pursue that course.

[The Witness was directed to withdraw.

Mr. Flan James Keary was called in; and, having been sworn, was Examined by Mr. *Inderwick*, as follows:

Mr. *F. J. Keary.*

6. What are you?—I intend to go to the profession of an Attorney.
7. Do you reside at Galway?—Yes.
8. By the *Committee.*] What is your profession now?—I have no profession now.
9. Are you articled to an attorney?—I was at Mr. Doulton's many years; I did business for him for 20 years in the town of Galway; I was doing business for him as an assistant.
10. Mr. *Inderwick.*] Do you live at Galway?—I do.
11. How long have you lived there?—It was there I was born.
12. Are you a voter?—No.
13. Are you well acquainted with the constituency of the town?—I am.
14. It appears to consist of three classes, freemen, freeholders, and rated occupiers?—Yes.
15. Do you know how many freemen there are?—Something over 300; I think there are about 500 freemen.
16. Then, there are about 120 freeholders and something over 500 ratepayers?—Yes.
17. Do you know whether there is any agent for election expenses in Galway?—The sheriff did not appoint any auditor.
18. Were you in Galway in 1859?—I was.
19. At the time of the election?—Yes.
20. Was Mr. Lever then returned at the head of the poll?—He was.
21. Do you know Mr. Morris who contested the election last time?—I do.
22. Have you known him for some time?—I have.
23. Did you see him in the town previous to the election?—I did.
24. For how long?—I saw him some months before the election commenced.
25. Was he canvassing the electors?—He was.
26. Did Mr. Leaver and Mr. Stubber also canvass the electors?—They did.

27. By

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27. By the *Committee.*] Was it at the same time or some months before?—Some few weeks before; Mr. Lever and Mr. Stubber both canvassed; Mr. Stubber was before Mr. Lever.

28. Did you know Sir Rowland Blennerhassett?—Never until I saw him at Galway at the election.

29. Do you know whether he comes from the county of Galway at all, or where he lives?—I believe not; I think it is from the county of Kerry that he came, at least I heard so.

30. How long had Mr. Morris been canvassing before Sir Rowland Blennerhassett came?—Some months before.

31. How long before the day of the election did Sir Rowland Blennerhassett come to the town?—I should say about three weeks, as well as I could recollect.

32. Do you mean before the day of polling?—Before the day of polling.

33. Mr. *Inderwick.*] Where was Mr. Morris's committee room?—He had no committee room, I think; he had one room opposite the post-office for his friends; I think there was a placard on Mr. Blake's house which he had taken, which said, "Mr. Morris's room," but the word "committee" was not upon the placard; he had rooms where his voters went in and out.

34. By the *Committee.*] How many of those rooms had he?—One.

35. Then he had not "rooms," but one room?—He had taken the house altogether.

36. Was there only one room in the house?—No.

37. Mr. *Inderwick.*] You say that Mr. Morris had one room?—He had the house which he had taken.

38. Do you say that there were rooms where Mr. Morris's voters came to?—Yes; he had a house just adjoining the post-office in Saint Francis-street.

39. Who kept that house; whose house was it?—The house belongs to Mr. Blake.

40. Do you know the house kept by Mr. Brady?—I do.

41. Do you know whether that was the house at which Morris's voters used to go in and out; have you ever seen Morris's voters in Brady's house?—I saw them going in and out there, of course.

42. What house is that of Brady's?—That is a house in the very same street, Saint Francis-street.

43. Is it a private house?—It is a private house.

44. Do you know a man of the name of Hughes?—I do.

45. What is Hughes?—A grocer and publican.

46. Mr. *Rodwell.*] What is his Christian name?—John B. Hughes.

47. Does he deal in spirits?—He does.

48. Where is his house?—His house is situated on Prospect Hill.

49. Have you seen Morris's voters go in and out of his house?——

Mr. *Rodwell* objected to any person being described as "Morris's voters," unless they were proved to be so.

50. Mr. *Inderwick.*] Did you see persons, during the course of Mr. Morris's canvass, going in and out of Hughes's house?—I did, sir.

51. Do you know who those persons were?—Well, I cannot recollect the whole of them.

52. Can you recollect some of them?—I saw a man of the name of Murthy Faherty.

53. Who did he vote for?—Well, I cannot say who he voted for.

54. Can you say the name of some other person that you saw going in and out of the house?—I saw another person, of the name of Joe Sargeant going in there.

55. Do you know who he voted for?—I heard that he voted for Mr. Morris.

56. Give us the name of some other person whom you saw going in and out there?—I saw another person, of the name of Michael Cook, and there were many others that I do not recollect.

57. Do you know that some of these "many others" of whom you have spoken were voters?—I do.

58. Do you know whether Hughes canvassed at all?——

59. Mr. *Rodwell.*] Did you see him canvassing?—I did, sir; I knew him to be actively engaged for Mr. Morris, and he was an agent of Sir Rowland Blennerhassett.

60. Repeat your answer?—I say that he was a very warm supporter of Mr. Morris, but he was the known and public agent of Sir Rowland Blennerhassett.

61. Mr. *Inderwick.*] Did you ever see Mr. Morris at his house?—I saw him leaving his house.

62. Mr. *Rodwell.*] Do you mean at the time of the election?—Yes.

63. Did you see that more than once?—Only once.

64. Mr. *Inderwick.*] Do you know a man of the name of Brady?—I do.

65. John Brady?—Yes.

66. Is he a builder?—Yes.

67. Did you see persons going in and out of Brady's house at the time of the election?—I did.

68. Where is Brady's house?—Brady's house is in Saint Francis-street.

69. Have you seen persons coming out of Brady's house about the time of the election; have you seen John Glynn?—I saw a great number of voters going down as soon as the poll commenced, at eight o'clock.

70. By the *Committee.*] Are you talking of the polling day?—Yes.

71. Have you been talking of the polling day when you said these people left the different houses?—That was some days before the polling day.

72. Now you have got to the polling day?—Yes.

73. Mr. *Inderwick.*] You say at this moment you saw Glynn and other voters coming out of Brady's house on the day of the election?—Going down to the back gateway; going to the rear of Brady's house.

74. That was on the day of the polling?—Yes.

75. Had you seen them before the day of the polling come in and out of that house?—I did.

76. That is during the canvass?—Yes.

77. By the *Committee.*] Did that back passage lead to any other house besides Brady's house?—Not that I know of.

78. Do you know that it does not?—There is another house adjoining it, and there might be a wall through which they might get into the other yard.

79. Mr.

79. Mr. *Inderwick.*] Did you see John Glynn coming from the house during the canvass?—I saw him going there on the polling day.

80. Do you know a man of the name of Patrick Mahoney?—I do.

81. Have you seen him there?—I have.

82. Have you seen him during the canvass coming from the house, or on the following day?—I did not see him during the canvass; I saw him in the morning of the polling day going down to Brady's yard; that is, to the back entrance behind Brady's house.

83. Do you know Michael Green?—I do.

84. What is Michael Green?—He is a tinman, I think, by trade.

85. Is he a freeman, or what?—He is a freeman.

86. Have you seen him there?—I saw him going down that morning.

87. Not during the canvass?—No; on the morning of the election.

88. Have you seen John Welch; do you know him?—I do.

89. What is he?—He is a freeman.

90. Did you see him there?—I did.

91. Was that during the canvass, or on the day of the polling?—The day of the polling.

92. Only on the day of the polling?—Only.

93. On the day of the polling, when you say you saw those persons, were they coming from Brady's house together?—They were going down all together, because they were polling.

94. Did they come from the house together; that is, did they come out of the house together?—After they had polled, on leaving the polling place, they went down to Brady's house; there was a back gate, and no one was let in just immediately after nine o'clock; the polling commenced at eight.

95. By the *Committee.*] This was a gateway to Brady's house?—Yes.

96. After nine o'clock these persons were not permitted to go in at the gateway, you say?—No.

97. Who prevented them?—I cannot say.

98. How could you have seen them going down the entrance, if they were not permitted to go down?—I am sure I saw them going down from the court-house.

99. Towards Brady's house?—Yes.

100. I mean down this entry, if they were not permitted to go down?—There was no entry; there was a passage going down the back way to Mr. Brady's house.

101. In the nature of a street?—Yes; a bye street.

102. Off that passage there was a gate, probably?—Yes.

103. Was it into that gate that they were stopped from going?—Yes.

104. It is merely an inference of yours that they intended to go to Brady's house?—I saw some of them being allowed in.

105. That was previous to their being stopped?—Yes.

106. Who did you see allowed in?—I saw Welch.

107. By the *Committee.*] Were you standing watching to see them go in?—I suspected that the bribery——

108. Mr. *O'Malley.*] Never mind that.—I am answering the gentleman.

109. By the *Committee.*] You were standing there?—I was.

110. For sometime?—I was.

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111. At this particular gate?—No; I was up in the grand jury room, where the polling was going on, and I saw them from the window, and I called Mr. Lever's attention to it.

112. Mr. *Inderwick.*] About nine o'clock these voters wanted to get down to Brady's house, and they could not get there; was it afterwards that you saw Welch going in?—No, it was before that.

113. Before that, had you seen any of the others, whose names you have mentioned, going in?—I did not take particular notice.

114. Did you see any of them, after they came out of Brady's house, that day?—I did.

115. Did you see anyone go into Brady's house that day, except Welch?—Yes, I saw a good many, at eight o'clock in the morning, going in; but I could not give you their names.

116. You have mentioned John Glynn, Patrick Mahoney, Michael Green, and John Welch; I want to know whether you saw anyone go in or come out of Brady's house, except John Welch?—I saw Mahoney.

117. At what time of the day?—Shortly after eight o'clock.

118. In the morning?—In the morning.

119. Did you see Green out at all that day?—I saw him go down there; but I cannot say whether he went in or not.

120. Did you see either Welch or Glynn shortly after they came out of the house; did you see them come out?—I saw Glynn some days after the election.

121. Did you see him come out of the house?—I saw Glynn coming out of the house.

122. Did you see whether he had anything in his hand?—No, I did not,,

123. By the *Committee.*] When did you see him coming out of the house?—In the morning of the polling day.

124. Before or after nine o'clock?—I think before nine o'clock, so far as I recollect.

125. Mr. *Inderwick.*] When he came out, what did he say to you?—He told me that he had got 5 *l.*

[The Witness was directed to withdraw.

Mr. *Rodwell* objected to the question, and to the answer being received.

Mr. *Coffee* was heard in support of the objection.

Mr. *Inderwick* was heard against the objection.

Mr. *Rodwell* was heard in reply.

The *Chairman* stated, that the Committee would receive the evidence for what it was worth; but they hoped that this class of evidence would not be carried too far.

The Witness was called in, and the examination was resumed as follows:

126. Mr. *Inderwick.*] Did he say what he got the 5 *l.* for?—

Mr. *Rodwell* again objected to the question.

Mr. *Inderwick* stated, that the witness had been interrupted in the answer which he had intended to give, and therefore perhaps the

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the Committee would allow him to finish the answer.

The *Chairman* stated, that the Committee thought the answer might remain as it had been given.

127. Mr. *Inderwick.*] Did Welch say anything to you when he came out?—No.

128. By the *Committee.*] Is the name Walsh or Welch?—Welch.

129. Is it Martin Welch?—No, John Welch.

130. Mr. *Inderwick.*] Did you see any of those persons with money in their hands on the day of the election?—No, I did not.

131. Were there any committee rooms at Brady's house?—There were.

132. Whose committee room was there?—Sir Rowland Blennerhassett's.

133. Do you know a man of the name of John Pearce?—Yes.

134. Does he keep a public-house?—He does.

135. Where does he live?—At the time of the election he lived in William-street.

136. What is he?—A publican and a grocer.

137. Did you see him canvassing?—I did.

138. For whom did he canvass?—

139. Mr. *Rodwell.*] Did you hear him canvassing?—I did; I heard him canvass the freemen.

140. Mr. *Inderwick.*] For whom did you hear him canvass?—For Sir Rowland Blennerhassett and for Mr. Morris.

141. You say that he is a publican; during the canvass did you see persons come in and out of his house?—I did.

142. Will you give us the names of the persons you saw coming in and out of his house?—It would be impossible to give you all the names I saw there.

143. I want the names of the voters, not those who were not voters?—I saw John M'Loughlin, a freeman, going in there.

144. Did you see any one else besides John M'Loughlin?—I saw Michael Duggan, and many others that I cannot recollect.

145. Just give us the names of any other voters that you saw coming in and out of this house during the canvass?—I cannot at the moment recollect them, there were a great many of them going in there.

146. On the day of the polling, did you see any voters coming in and out of this house?—I saw Duggan, in the evening, going into Mr. Pearce's house.

147. Do you know a man of the name of John Kirwan?—Yes.

148. What is he?—He is a pawnbroker.

149. Did he take any active part in the election?—He did.

150. Did you see or hear him canvass?—I saw him canvass amongst the voters.

151. For whom?—For Sir Rowland Blennerhassett.

152. Did he canvass for Sir Rowland Blennerhassett, or for Mr. Morris?—He was a great supporter of Mr. Morris, and a great friend of his.

153. Do you know a man of the name of Curran?—I do.

154. By the *Committee.*] What is his Christian name?—Michael.

155. Mr. *Inderwick.*] What is Michael Curran?—He carries on a shoe-making business at Dominick-street.

156. Did he take any active part in the election?—He did.

157. Did you see him canvassing?—I did.

158. For whom?—For Sir Rowland Blennerhassett, and he was bringing up voters for Mr. Morris also.

159. Did he bring up voters for Mr. Morris as well as for Sir Rowland Blennerhassett?—He did; the voters he brought up voted for both Mr. Morris and Sir Rowland Blennerhassett.

160. Do you know John Oliver?—I do.

161. What is he?—He is a baker, and he keeps a bakery establishment in Galway.

162. Did you see him canvassing?—Well, I did not see him canvassing; I know he was interested for Mr. Morris.

163. Tell us what you saw him do, if you saw him do anything?—I did not take any particular notice of what he was doing, I know that he was a great friend of Mr. Morris, and wherever he was going he was soliciting the voters in favour of Mr. Morris.

164. Do you know a man of the name of John Pearce?—I mentioned that before.

165. What is John Pearce?—I have told you before.

166. Is he a publican?—Yes.

167. Do you know Mr. James W. Concannen?—I do.

168. Was he the solicitor for Sir Rowland Blennerhassett?—I could not say that.

169. What is he?—He is a solicitor.

170. Did he take part in the election?—He did.

171. Did you see him with either of the sitting Members?—I saw him with Sir Rowland Blennerhassett and his agent; he was most active for him in the street.

172. Did you see him with Sir Rowland Blennerhassett and his agent during the time of the canvass?—Yes, during that time.

173. Was that when Sir Rowland Blennerhassett was canvassing the constituency?—Yes.

174. Did Sir Rowland Blennerhassett canvass any portion of the constituents personally?—He did; he had Mr. Thomas Kyle with him, and young Mr. Reddington, and old Mr. Reddington.

175. By the *Committee.*] He had them with him canvassing?—Yes, along with him canvassing.

176. What were the other names of the gentlemen?—Mr. John Reddington, senior, and Mr. John Reddington, junior, Mr. Thomas Kyle, and Mr. Lynch.

177. Mr. *Inderwick.*] Do you know a person of the name of Stainton?—Yes, Edward Stainton.

178. What is he?—He is an upholsterer.

179. Did he take an active part in the election?—He did.

180. Did you see him canvassing anyone?—I saw him very busy the morning of the election bringing up voters.

181. On the day of the polling?—Yes.

182. For whom did he bring them up?—For Sir Rowland Blennerhassett.

183. Did he bring up any for Mr. Morris as well?—I think he appeared to me to be acting altogether for Sir Rowland Blennerhassett.

184. Do you know which way they voted; did you hear them give their votes?—They voted for Mr. Morris.

185. Mr. *Rodwell.*] Did you hear them give their votes?—I did.

186. Mr.

186. Mr. *Inderwick.*] Who did they vote for?—Mr. Morris and Sir Rowland Blennerhassett.

187. I do not know whether you mentioned the name of John Brady; you mentioned several names just now; did you mention the name of John Brady?—Yes.

188. Do you know a man of the name of Higgins?—No, unless you mean Thomas Higgins.

189. What is he?—A solicitor.

190. Did you see him taking part in the election?—He was, I believe, conducting agent for Mr. Morris.

191. Did you see him canvassing?—No, I did not.

192. By the *Committee.*] What do you mean by "conducting agent"?—He was the principal person conducting the election.

193. Mr. *Inderwick.*] Did you see him canvassing?—I did not.

194. Did you see him with Mr. Morris or Sir Rowland Blennerhassett during the canvass?—I saw him with Mr. Morris, but not with Sir Rowland Blennerhassett.

195. Did you see him with Mr. Morris at the time Mr. Morris was canvassing the constituents?—No, he was not with him.

196. When was it that you saw him with Mr. Morris?—A day or two before the polling commenced.

197. Where was he?—Down near the Court House in the Square; I saw them together walking; he was outside the Court House.

198. Was anyone else there?—There were a great number there; I could not say exactly who.

199. Did you see him on the day of the polling?—I did.

200. Was he interfering in any way with the election on the day of the polling?—No, he was not.

201. Did you see with whom he was on the day of the election?—He was with Mr. Morris.

202. By the *Committee.*] All you know of Mr. Higgins is that you saw him once with Mr. Morris on the day of the polling?—Yes; during the polling, I saw him at the polling rooms, and Mr. Morris was speaking to him.

203. Mr. *Inderwick.*] You have made use of the term "conducting agent"?—Yes.

204. What led you to think he was conducting agent?—He had the appointment, I was told, of the different agents in the booths.

205. Is it from what you heard from other persons that you say that?—Yes, it is from what I heard from other persons.

206. By the *Committee.*] Is this the same Mr. Higgins that is put down as an agent for Mr. Morris?—Yes, it is the same.

207. Mr. *Inderwick.*] Did you know a man of the name of Burke?—I do not know who you mean.

208. Do you know a man of the name of William Murray?—I do.

209. What is William Murray?—He is a merchant in Galway.

210. Was he actively engaged in the election?—I saw him on the nomination day in the box with Sir Rowland Blennerhassett.

211. In what box?—In the box where the polling candidates were, on the day of the nomination.

212. Did you see Mr. Murray canvassing?—No, I did not.

213. Did you see him bringing up any voters?—No.

214. On whose behalf did he take an active part in the election, as you have said?—On behalf of Mr. Morris and Sir Rowland Blennerhassett.

215. By the *Committee.*] If you did not see him canvassing or bringing up voters, what do you mean by his taking an active part?—I saw him in constant communication with both the gentlemen.

216. Mr. *Inderwick.*] Do you know a man of the name of Patrick Griffin?—I do.

217. What was Patrick Griffin?—He was acting for Sir Rowland Blennerhassett.

218. What is he?—He is in the capacity of a gentleman, I should say now.

219. Where does he live?—He lives at Eyre-square.

220. Did you see him taking any active part in the election?—I did.

221. On which side?—On Mr. Morris's side and Sir Rowland Blennerhassett's.

222. What did you see him doing for them?—I saw him bringing up two voters; I saw him bringing up several voters, but two especially.

223. Then I may take it, that you saw him bringing up two voters; do you mean that he brought them up to the poll?—Yes.

224. Did you hear them vote?—I did.

225. For whom did they vote?—For Sir Rowland Blennerhassett and for Mr. Morris.

226. Do you know a man of the name of Patrick Joseph Kelly?—I do.

227. What is he?—A solicitor; he was acting in the booths as an agent.

228. Was he actively engaged as an agent?—He was acting in the booth as an agent.

229. That would be on the day of the polling?—Yes.

230. For whom was he acting?—I cannot say whether for Mr. Morris or for Sir Rowland Blennerhassett, but for either of them, I cannot say distinctly which.

231. By the *Committee.*] You know he was acting for one or the other, but you do not know for which?—Yes.

232. Mr. *Inderwick.*] Do you know Richard Carter?—I do.

233. What is Richard Carter?—He is deputy Clerk of the Peace for the county of Galway.

234. Do you know whether he is in any way connected with Lord Clanricarde?—He receives rents from the tenants, for property in the town of Galway.

235. Do you know Thomas Fahy?—Yes.

236. What is he?—He is a publican and a grocer.

237. Did he take part in the election?—He did.

238. For whom?—For Sir Rowland Blennerhassett.

239. You say that he is a publican and a grocer; during the time of the canvass, did you see persons coming in and out of his shop?—I did not take notice of him until the morning of the election; that was all I saw of Mr. Fahy.

240. By the *Committee.*] You saw people going into his shop on the morning of the election?—No; I saw him at the booth-room, bringing up voters for Sir Rowland Blennerhassett; I saw him very active for Sir Rowland Blennerhassett.

241. Mr. *Inderwick.*] He was active in doing what; in bringing up voters for Sir Rowland Blennerhassett?—Yes.

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242. Did you hear any of those persons vote?—A man of the name of Sullivan.

243. He brought up Sullivan, did he?—Yes.

244. By the *Committee.*] You heard Sullivan vote?—I did.

245. Mr. *Inderwick.*] For whom did Sullivan vote?—For Mr. Morris and Sir Rowland Blennerhassett.

246. Well, now, with respect to the treating list?—

Mr. *Rodwell* objected to the treating list being acted upon at all, on the ground that the places and the times at which the alleged treating took place was too generally and vaguely stated.

Mr. *O'Malley* was heard in support of the objection.

Mr. *Inderwick* was heard against the objection, and contended that the list was sufficiently specific to bring it within the resolutions of the Committee; but offered, if the Committee desired him to do so, to make the allegations more explicit.

Mr. *Rodwell* was heard in reply on behalf of Mr. Morris: but stated that he would withdraw the objection. He would, however, ask the Committee to bear in mind, that his learned friend (Mr. Inderwick) had stated, that he should prove treating by Mr. Morris between the 15th of May and the 18th of July, and if he failed to do this, he (Mr. Rodwell) should ask the Committee to give Mr. Morris all the expenses and costs of the inquiry relating thereto.

Mr. *O'Malley* was also heard in reply, on behalf of Sir Rowland Blennerhassett, and maintained the objection.

The room was cleared. After some time, counsel, agents, and parties were called in, and informed by the Chairman that the Committee were unanimously of opinion that the treating list did not comply with the 5th resolution, as regarded the times at which the treating was alleged to have taken place.

Mr. *Inderwick* then applied for leave to amend the particulars of the list, and to restrict the time of the alleged treating to within any period the Committee should think proper. He suggested that the 1st of July should be the day limited, the election having taken place in July.

Mr. *Rodwell* was heard against the application.

Mr. *O'Malley* was also heard against the application.

Mr. *Inderwick* was heard in reply; but stated that he was unable to give sufficiently specific dates, because the Irish agent had not yet arrived, and had not, therefore, supplied the requisite information.

The room was cleared. After some time, the counsel, agents, and parties were called in, and informed by the Chairman that the Committee declined to allow the list, in this case, to be amended.

Cross-examined by Mr. *Rodwell.*

247. You seem to have drawn a distinction between Mr. Morris's proceedings and Sir Rowland Blennerhassett's. I will ask you a few questions with regard to Mr. Morris; on what occasion do you say that you saw him canvassing in Galway?—I saw him some months before the election.

248. When you use the phrase which my friend has employed very often, "During the canvass," am I right in understanding you to mean several months before the election, or just at the period of the election?—Before the election.

249. How long before the election?—About two or three months before the election.

250. Now, I put this question to you distinctly: do you know or recollect any occasion on which you saw Mr. Morris canvassing either alone or with anybody else, within a week of the day of the election?—He was canvassing always alone, and by himself.

251. I did not ask you whether alone or with anyone else, but whether it was during the week previous to the election; did you see him canvassing alone or with anyone else during that week?—No.

252. You know Mr. Morris very well, I dare say?—I do.

253. My friend Serjeant Ballantine did not give us the figures, but do you know that he was returned at that election by a very large majority?—He was.

254. Did not you know also that the struggle at that election was for the second place, that is, for the candidate who would come in second?—I believe so.

255. Do you not know that there were a great many who split their votes between him and Sir Rowland Blennerhassett, and that there were many who split their votes between him and Mr. Lever also?—There were.

256. Did you attend any canvassing yourself?—I did.

257. For whom did you canvass?—For Mr. Lever.

258. Will you tell me, when you canvassed a voter, in what form did you put the question for his vote?—I asked him to vote for Mr. Lever.

259. What did you say about Mr. Morris?—Nothing.

260. You only asked for a single vote?—Merely.

261. Did you not find it a fact that when you canvassed for Mr. Lever, all, or almost all, the voters had promised their first vote for Mr. Morris?—A good many of them had.

262. You asked for the second vote, I suppose?—I did, sir.

263. I do not understand you to say that you saw Mr. Higgins do anything during the election?—No, I did not.

264. With regard to the committee room, I wish to set that matter right; did you see anything like a placard or a committee room, or any of the ordinary signs of a committee room, at that house which you speak of?—No; it merely said, "Mr. Morris's rooms."

265. Not "committee rooms"?—No.

266. Do you know, as a fact, whether Mr. Morris had a committee room or not?—I believe he had not.

Cross-

Cross-examined by Mr. *Coffey*.

267. I understand you to say that you were no voter yourself?—No.

268. In what capacity did you act?—I was always a great supporter or friend of his.

269. In what capacity did you act for him during the election?—As a friend.

270. As a paid or a gratuitous friend?—I did not get a farthing.

271. Not a farthing yet?—Not a farthing yet.

272. I presume you have a lively hope for future favours?—I expect no favours from Mr. Lever.

273. You have a little expectation?—I have no expectation.

274. You are a gentleman without expectations?—From him.

275. Were you ever employed by Mr. Lever pecuniarily?—Never.

276. Have you never received any money from him at all?—Never.

277. But you are a great friend of his?—Yes.

278. You are patriotic; now, you said that Mr. Morris had some apartments or some house upon which "Mr. Morris's rooms," was printed on a placard?—Yes.

279. Was not that exactly the same with respect to Sir Rowland Blennerhassett?—No.

280. Will you undertake to say that there was "committee room" on any building of Sir Rowland Blennerhassett's?—I saw it printed on the room, "committee."

281. Will you undertake to say to the Committee that there was printed upon it, "Sir Rowland Blennerhassett's committee room"?—Yes; it was printed on a placard and a sign-board.

282. How were you occupied during the day of the election, during the polling day?—I was going through all the booth, and generally looking on.

283. Let me understand you?—And I was getting as many votes as I could for Mr. Lever.

284. You were taking charge of the voters for Mr. Lever?—Yes.

285. You were very active during the day?—I was.

286. Bringing up his voters?—Yes.

287. Was that your exclusive duty?—No.

288. What other duties were assigned to you?—No duty was assigned to me; I did what I liked.

289. What did you appoint yourself to do?—I was attending generally; I was continually looking on and bringing up the voters.

290. How did you occupy yourself in attending generally?—I was seeing that the voters' cards were properly filled up, and that they were brought up by me to vote.

291. When was that?—In the early part of the morning.

292. Those were cards for Mr. Lever?—Yes.

293. Were you in his committee room?—I was in the morning.

294. From what time to what time?—I was there in the morning from four o'clock to seven.

295. From four o'clock to seven in the morning?—Yes.

296. Where did you go then?—I went up to the polling booths.

297. How many were there?—There were five.

298. Were they all within the same building?—They were.

299. And then, I presume, you went through these booths looking generally after Mr. Lever's interest, and the voters?—Yes.

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300. Were you Mr. Lever's agent?—No.

301. Are you sure of that?—I am.

302. You do not think that looking after his interests, filling up his cards and going about his booths in the, I will not say, officious, but efficient manner that you were doing, would make you his agent; you would be surprised to be called an agent of his?—They may do so if they like.

303. But you were not his agent?—No, I was not.

304. With regard to this passage where there was a back way leading to Brady's house; you were not at the gate at all?—No.

305. As I understand your evidence, you were in the Court House?—I was in the Grand Jury room upstairs, and I saw from one of the windows the people rushing down.

306. Is not this a correct description of what you could see from that window: that you saw groups of persons passing down in the direction of what you knew was a gate?—Yes.

307. How far is that court house from the window of which you were looking, to where you supposed that there was a gate?—About 30 yards.

308. From the window that you were looking through, could you see the gate?—I could.

309. Now, I ask you upon your oath, are you able to distinguish or tell the Committee, beyond the risk of mistake, the name of a single voter that you saw passing through what you have described as a gate?—I am.

310. On your oath?—I am.

311. Which of these voters was it?—The man named Welch and a man of the name of Glynn.

312. How many Welchs voted that day at the Galway election?—I could not say.

313. How many Welchs are there that are voters?—I could not tell you that either.

314. Are there not more than half a dozen?—I believe that there are.

315. Now tell me, Mr. Keary, can you, beyond the risk of mistake, tell me of a second voter whom you saw pass through what you have described as a gate?—John Glynn.

316. You swear that?—Yes, and that gentleman sitting to your left was there too; that barrister.

317. Tell me, Mr. Keary, do you mean to represent that this gentleman was engaged as you suggested?—No, I do not say any such thing; but I saw him very active.

318. Then reserve your observations, unless you want to insinuate anything?—No; I do not want to insinuate anything.

319. It is unnecessary, unless you wish to make a charge?—I have no charge at all to make, but I saw him about Mr. Brady's door.

320. Who are you speaking of?—That gentleman by your side.

321. Do you mean to convey any such insinuation against him?—No; I do not.

322. Then hold your tongue about him, because it does not assist the Committee. I believe everybody in Galway, from the highest to the lowest, took an interest in the election?—They did.

323. Everybody exerted himself for his friend?—No doubt.

324. You for your friends?—Yes.

325. And a great many gentlemen of position and

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and character exerted themselves for their friends, Mr. Morris and Sir Rowland Blennerhassett?—Yes.

326. And from your experience, is it not the fact, that whenever a candidate goes about to see his constituents or to canvass for votes, he is surrounded by an idle, but an anxious crowd; is not that so?—It is.

327. I believe I am correct in saying that there was a very strong feeling in favour of Mr. Morris and Sir Rowland Blennerhassett?—Not for Sir Rowland Blennerhassett.

328. You think there was no feeling for him; will you say that, Mr. Keary?—I say that the great bulk of the people was for Mr. Morris and Mr. Lever.

329. Allow me to ask you, amongst the leading voters of the town; you know what I mean?—Yes.

330. Amongst the gentlemen of substance, and position and experience, shopkeepers, and all; was not the feeling generally in favour of Sir Rowland Blennerhassett, as well as Mr. Morris?—No.

331. You think not?—I am sure of it.

332. Were you at the court house the day of the show of hands?—I was.

333. Was the show of hands in favour of your friend, Mr. Lever?—No; it was not.

334. Now, I ask you this question, of course not in disparagement of Mr. Lever, but was there not a very strong feeling against Mr. Lever?—No.

335. You think not?—I do.

336. Give me leave to ask you, with regard to this public-house, what is the name of the man who keeps it, is it not Hughes?—Yes.

337. When did you leave Galway?—A month next Tuesday.

338. Are you here all this time?—Yes, I am.

339. The whole of this time?—Yes.

340. You were brought over specially?—No, not specially.

341. Well, generally; are you "conducting agent" on this occasion?—No.

342. You only assist?—Yes.

343. You get up the evidence?—Well.

344. Is not that the fact?—Yes.

345. May I ask you what hotel you have patronised since you have been here?—Since I came to London?

346. Yes?—I am stopping with Mr. Stubber.

347. You have another friend then; you have two strings to your bow; are you to be called when Mr. Stubber's petition comes on?—I suppose so.

348. Where is it you are staying; you have told me the name of the gentleman, but you have not told me where you are to be found when you are wanted?—Twenty, Bessborough-gardens, Pimlico.

349. Had you any other reason for coming over here a month ago, so soon before this Committee was struck, except your anxiety to get up the evidence?—I had.

350. I will not ask you if you object to answer the question?—I do not object to answer the question.

351. Then just tell us?—It appears that the opposite party got a man in Galway to process me.

352. Did an opposite party oblige you to owe the money for which you were processed?—Compel me to owe money? of course not.

353. When a man, generally speaking, owes money and does not pay, it is usual to process him?—It was a debt of six years, and they thought to prevent me coming over here to attend the Committee; the debt was a debt of six years; I was living in the town of Galway, and no application had been made to me until this process; I even served a notice demanding a jury under the statute, and the barrister who heard the case, being a partisan, refused to try it by the proper jury, and tried it by three of them; I even made an affidavit for the purpose of postponing the case, and he refused it.

354. Very well, Mr. Keary; are you an attorney?—No.

355. How far have you gone upon the road?—I know a good deal of the business; I was 20 years doing business for Mr. Doulton.

356. How far have you got on the road to make yourself an attorney; have you been bound apprentice?—No.

357. Are you an articled clerk in any way?—No.

358. You have not commenced to get on the road at all yet?—Some time ago you called me a clerk, and I distinctly say that I am not an attorney's clerk.

359. How do you get your livelihood?—Well, I have very respectable connections in both the county and the town of Galway, as Mr. Morris is aware; do you see that now?

360. I must come back again to the question I asked you before; you left Galway about a month ago?—Yes.

361. I would ask you the name of this public-house that you saw the people coming in and out of; what is the name of it?—Hughes's.

362. Is it a remarkable thing, during an Irish election, and particularly during a Galway election, to see people going in and out of public houses?—No.

363. By the *Committee.*] Was it Mr. Hughes's or Mr. Brady's public-house?—No, Mr. Hughes's; Brady's was another house; he lives quite convenient to me.

364. Mr. *Coffey.*] You said it was not an unusual thing, and I may take it that it is a very common practice, for voters, and persons who are not voters, to go in and out of public-houses during a Galway election?—It is.

365. It is a thirsty time, is it not?—Yes.

366. The weather was warm at that time of the year?—It was.

367. How often did you go in and out, yourself, of any public-house in Galway during the election?—Is it for the purpose of drinking, you mean?

368. There is *primâ facie* evidence against such a supposition as that?—Although my face may have that appearance, I am not the man to do that sort of thing.

369. I am really not asking you this question to offend you, but you do occasionally go and take a drop, do you not?—A very small share; I am not in the habit of drinking, I can tell you, and everyone in Galway knows it; I say it in the hearing of many persons who know me; you never saw the sign of a drop of spirit in me, and as to being tipsy, I never was tipsy.

370. I do not insinuate it; you did go in and out during the day, did you not?—Which day?

371. The

371. The polling day?—Do you mean into a public-house?

372. Yes?—No, I did not.

373. Not the whole day?—No.

374. You swear that?—I do, distinctly.

375. What was the public-house that Mr. Lever's voters went in and out of?—He had no public-house to my knowledge; I believe not one of them in the street did get so much as a drop of water, which was very bad treatment.

376. Tell me this, Mr. Keary, was Mr. Brady's house the place at which you say Sir Rowland Blennerhassett's placards were, of the committee-rooms?—That is his house.

377. Whose house?—Brady's house.

378. You say, on that house there were placards of Sir Rowland Blennerhassett's committee room?—Yes, distinctly; and, in addition to the placards, there was a sign with the name over it, printed on it.

379. What was the sign?—Sir Rowland Blennerhassett's committee room, printed on the board over the hall door.

380. Did you ever see a committee room in which the voters and friends, supposing it was a committee room, of the candidate, were not continually going in and out?—No doubt of it.

381. There is nothing extraordinary in that?—No.

382. Is not that the very place that the friends would congregate; the voters and persons in his interest would go in and out of, like a flock of sheep?—Yes.

383. Did you see any place where Mr. Lever had a committee room and his friends assembled?—Yes.

384. And you went in and out there?—Yes.

385. All his friends?—Yes.

386. His voters?—Yes, and to the tally room.

387. Did that occur to you as being anything remarkable?—No.

388. Now, tell me, Mr. Keary; I think you say you were a friend of Mr. Lever's, and that you have got nothing?—Nothing.

389. And that you expect nothing?—Nothing.

390. Have you any way of earning your bread except having respectable connections in Galway?—I have.

391. Tell me how it is?—I do business for many solicitors in Dublin; I conduct many records for the town of Galway.

392. Is it that you get up records in the town of Galway?—No.

393. You look after the witnesses?—No.

394. Then, what do you do?—I manage the business for them.

395. How do you do that?—I attend the trials.

Mr. *Coffey* stated, that the "records" referred to by the witness, were the same as the ordinary Nisi Prius proceedings in England.

396. Now, I must get that very distinctly from you, Mr. Keary; what duty do you perform with respect to these solicitors in Galway?—I attend the courts for them.

397. What do you attend at the courts for; because there is a special duty for a clerk to perform in attending court?—That is the business.

398. What is the business; do you write out the briefs?—No, the briefs come down to us.

399. Do you coach the witnesses?—No.

400. What do you do; you must do something; it is very hard to drag it out of you, Mr. Keary; what do you do?—I attend for them in court.

401. But what do you do attending in court?—The usual business of an attorney, of course.

402. You have been 24 years getting on to be an attorney; now give us some definite information of what you do to earn an honest penny; do you do anything, on your oath?—On my oath, I do.

403. What is it?—What I have just described to you.

404. You have not described it?—I have.

405. You say you attend in court?—Yes.

406. Do you sit down and ornament the case?—No.

407. Do you nod to the jury?—No.

408. Then, what do you do?—The usual business of a solicitor, and you know that very well.

409. What are you allowed while you are getting up the case?—It is not a farthing that I get.

410. Do you live upon nothing here?—No, I am stopping at Mr. Stubber's house.

411. Now tell me, you have been here a month?—Yes.

412. Well, how do you pay your way now?—Since I came here, do you mean?

413. Yes?—It does not cost me anything; I am living at Mr. Stubber's.

414. Is that so?—It is.

415. How long were you acquainted with Mr. Stubber before this Galway election?—I was not acquainted with him at all.

416. You never knew Mr. Stubber before you were introduced to him at the Galway election?—Yes.

417. And you have been living with him as his guest since you came over?—Yes.

418. Did he invite you, or did you invite yourself?—No, he sent his son down to me as soon as I came here from Dublin.

419. At all events, it was at his instance that you are residing at his house, and staying with him?—Yes.

420. Now tell me, Mr. Keary, there are a great number of what are called gentry residing in Galway and the suburbs?—Yes.

421. Is there a large district, four or five miles round the town, containing voters?—Yes.

422. What we call villa residences?—Yes.

423. Is it the fact that 19-20ths of all those people voted for Sir Rowland Blennerhassett?—Lord Clanricarde and Mr. Leach supported him.

424. Is not Mr. Leach one of the most respectable and influential men in and out of Galway?—Yes, he is no doubt.

425. Did not all that class of people vote for Sir Rowland Blennerhassett?—They did.

426. I believe they were of opinion that Sir Rowland Blennerhassett and Mr. Morris were suitable candidates?—There was more than that, but I do not like to say anything about it.

427. Was not Mr. Lever surrounded by a number of his friends going round canvassing?—He was.

428. Did not everybody that was in his interest volunteer to go and accompany him here and there?—Yes.

429. Did you not all form parties when you saw Mr. Lever passing by, to go and volunteer?—Yes.

430. Is not that the ordinary practice in Galway?—Yes, it is.

431. I believe that there was a gentleman there who takes a very active part in all the elections,

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elections, a gentleman called Father Peter Daly?—Yes.

432. I believe Father Peter Daly took an active part?—He did.

433. And a zealous part?—Yes, he did.

434. Would you go so far as to say a violent part?—I would not be guilty of any such thing.

435. Did he not make speeches?—He did.

436. And harangued the populace?—He did.

437. In strong and vigorous language.

Mr. *Inderwick* objected to the question as being irrelevant.

Mr. *Coffey* was heard against the objection.

Mr. *Inderwick* was heard in reply.

The *Chairman* stated, that the Committee would receive the evidence until they ascertained the result of the examination; but, so far as the learned counsel had gone at present, they did not think his examination out of order.

438. Mr. *Coffey.*] Now, Mr. Flan Keary, I want to know from you whether you had a commission, or instructions during that time to watch; you know what that is?—I had.

439. Mr. *Inderwick.*] From whom?—From no one.

440. Mr. *Coffey.*] What is your name?—Flan.

441. Were you christened Flan?—I believe so.

442. Was it Father Peter that christened you Flan?—No, sir, it was not.

443. Had you instructions to watch?—No, I had not.

444. You did it on your own account?—I did; I know how to manage it, and I saw them going in.

445. You took on yourself the part of looking out?—Yes.

446. With a view to giving evidence on a future occasion?—No, indeed.

447. You did not do it for nothing; for the pure love of pursuing a new profession, did you?—No.

448. You know we call that in this country, and in my country too, taking on yourself the office of detective; upon your oath, were you not watching every move?—Watching, do you say?

449. Yes; watching?—I was.

450. Could they get (according to the estimation you have put upon your own powers) a keener fellow in all Galway to apply himself to that honourable pursuit; could they now, according to your own opinion, Mr. Keary, or that of your neighbours; recollect now you are 24 years on the road, you know?—I knew that it was impossible that they could put out Mr. Lever, unless by bribery.

451. Therefore you watched?—I did; I watched the parties.

452. You did the best you could?—I did.

453. You kept sober the whole of the day?—I did.

454. On your oath, was it not for that particular purpose that you kept sober, and abstained from the public-house?—On my oath, it was not; on my oath, I was never drunk in my life.

455. I want you to define what you call drunkenness?—I could not; I never took spirits to excess at all.

456. You could lie upon the ground without holding it; is that your definition of soberness?—It is not.

457. Well, it is close upon it; did you not, whatever your motive was, abstain from going into a public-house the live-long day, taking no whiskey; and were you not, according to your own testimony, occupied in spying and discovering evidence?—I was watching the bribery.

458. Upon your oath, have you told the Committee all that you could tell?—On my oath, I think I have.

Re-examined by Mr. *Inderwick.*

459. You say you saw from the window a person of the name of Welch come out of Brady's house?—No; going into Brady's house.

460. My friend has asked you whether there were not more than six Welches in Galway?—Yes.

461. On the register of voters?—Yes.

462. I want to know whether this Welch, whom you saw going into Brady's house, was the Welch to whom I examined you; what was the name of the Welch you saw?—John Welch.

463. Mr. *Coffey.*] Did you not say, "I think," in answer to my friend?—I cannot tell you whether I did or not.

464. Mr. *Inderwick.*] I understand you to say, then, you were there watching for bribery?—Yes, I was watching.

465. Were you watching for bribery?—I was watching first at Brady's; in the evening, after I was informed that the place for payment was removed to another place, named Kirwan's.

466. Tell us, first of all, were you watching for bribery?—Yes; first at Brady's, and next at Kirwan's.

467. Where else did you watch for it?—I was looking after Hughes's house too.

468. Did you watch at any other place?—And Thomas Fahy's, in Bridge-street.

469. Anywhere else?—No; nowhere else.

470. What was it that made you go there?—

Mr. *Coffey* objected to the question.

Mr. *Inderwick* said, he would put the question in another shape.

471. Was it in consequence of something that you heard that you went to this place?—It was.

472. What did you see when you went to these places to watch for bribery?—

Mr. *O'Malley* objected to the question, as not arising out of the cross-examination, and reminded the Committee that the witness had stated to his learned friend (Mr. Coffey) that he had told the Committee all he knew.

The *Witness.*] As far as I recollected that was the question I was asked, and that was what I said.

Mr. *Inderwick* was heard against the objection.

Mr. *O'Malley* was heard in reply.

The

The *Chairman* stated, that the Committee were of opinion that the question might be put.

473. Mr. *Inderwick.*] When you say that you watched for bribery at these different houses, tell us what you saw?—I saw a man named Green.

474. Take Brady's house first?—I saw the voters going in as I described before; then when I heard that the payment was stopped there——

475. By the *Committee.*] What did you see; don't tell us what you heard?—I saw a voter, a man of the name of Green, take a very active part for Sir Rowland Blennerhassett, bringing in voters to Mr. Kirwan; I think his name was Michael Green.

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476. We have had that before?—And I saw a man who was not a voter, very active for Sir Rowland Blennerhassett bringing voters in and out of Fahy's.

477. Mr. *Inderwick.*] Did you see anything in addition to what you have told us in your examination in chief?—That led me to suppose ——

478. No, don't tell us what you supposed, but did you see anything more?—No, I did not see anything more than that.

[The Witness was directed to withdraw.

JAMES MULLINS, was called in; and, having been sworn, was examined by Mr. Serjeant *Ballantine*, as follows:

479. WHAT are you, Mr. Mullins?—I am a Victualler by trade, I am a Butcher.

480. Where do you live?—In Galway.

481. Are you a voter?—I am.

482. In what capacity; are you a freeman or a freeholder?—I voted as a ratepayer the last time.

483. For whom did you vote?—I voted for Mr. Morris and for Sir Rowland Blennerhassett.

484. Before you voted, did you see Mr. Concannen?—I saw him, but I had no conversation with him.

485. Just recollect yourself?—I will tell you all the conversation I had with him.

486. By the *Committee.*] There are two Concannens, what is the Christian name of the Concannen you are referring to?—

Mr. Serjeant *Ballantine.*] I mean J. B. Concannen.

The *Witness.*] I will tell you all the conversation that I had with him; I live at the corner of the High-street, and there is another butcher lives just convenient to me, named Hughes; Hughes, the butcher, sent for me to my house, I did not know what he wanted with me; he sent for me to Hughes's house; when I went over there Mr. James Concannen was there before me.

487. Mr. Serjeant *Ballantine.*] You mean you went to the other butcher's?—To the other butcher's shop; when I went in, he said, "I know you will all vote for Mr. Morris"; I said, "I don't know that I will vote for you," and that is all that took place; then he walked out of the house, and he told Hughes.

488. Mr. *Coffey.*] Were you there?—I am telling you all that happened between us.

489. Mr. Serjeant *Ballantine.*] Do you know whether you were there or not?—I am sure I was there.

490. While you were there, did you hear this?—When Hughes sent for me I went over, and I did not know what he wanted; when I went over Mr. J. Concannen was there before me; when I went over, he said, "I am sure you will all go for Mr. Morris"; "I don't know," I said; he walked out to the door and told Hughes to follow him to the "Railway Hotel," that is all I know about it, and there is the whole of it for you.

491. You heard nothing passing between him and Mr. Concannen?—Not a single word did I ever speak to James Concannen.

492. Did you get any money at all?—I got 5 *l.* *J. Mullins.*

493. Now tell us about this 5 *l.*; you know you have told this story before?—I got 5 *l.*

494. You have told us all about it before; tell us now who did you get it from?—From Michael O'Brien.

495. Who is Michael O'Brien?—He is outside there; he is a butcher, the same as myself.

496. Is Michael O'Brien a butcher too?—He is.

497. You got 5 *l.* from him?—Yes.

498. What for?—I suppose for my vote, and nothing else; I do not know what it was for; he did not give it to me for nothing.

499. You say O'Brien is a butcher; whose side is he on; is he for Mr. Morris or Mr. Lever?—I believe he was for Mr. Morris.

500. You know, do you not?—Yes, he was.

501. How soon after you had seen Concannen at the butcher's shop did you see O'Brien?—Oh, I do not know; I do not know if I saw him that evening or not.

502. How soon was it that you got the 5 *l.*?—The election was on a Saturday, and I got it on the Sunday week following.

503. Following the election?—Yes, after the election.

504. After you had voted?—Yes.

505. Did you expect to get it?—Of course I did.

506. Why, of course; who told you you would get it?—I was sure that I would know where to get it, from O'Brien.

507. You did not go to O'Brien without knowing who would give you the 5*l.*?—It was promised by O'Brien.

508. When was it promised, before the election?—Before the election, of course.

509. You were promised before the election by O'Brien?—Yes.

510. Was anyone present when it was promised?—I cannot say whether there was or not.

511. How long was it before the election that you were promised 5 *l.*?—I cannot say how long before.

512. You can tell whether it was two or three days, or two or three weeks, or what?—Really, I do not know; I do not know how long it was.

513. What did O'Brien say when he promised you the 5 *l.*?—He said nothing to me, only that I would get a 5 *l.* note by voting for the two Members.

514. So you voted?—I did.

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515. Was anything ever said about 200 *l.*?—Not that I know anything of.

516. Do you not remember anything with Mr. Concannen about 200 *l.*?—I told you before, what I had with Mr. Concannen; I do not know one ha'penny's worth about Concannen; I never spoke a word to him in my life, only that much I have told you.

517. He never said anything?—No, he did not.

Cross-examined by Mr. *Rodwell.*

518. Do you know Mr. Morris?—Yes.

519. This is Mr. Morris, sitting by my side?—Yes.

520. Do you recollect his canvassing you about the month of March, for the election?—Yes, he did, he was in Galway, and canvassed the whole town.

521. When he canvassed you; did you promise him your vote?—I did.

522. That was in March, some months before the election?—I really do not know when it was.

523. You promised him?—I did.

524. And you intended to keep your promise?—Yes, of course.

525. The only vote you promised up to the time you had seen Mr. Concannen was to Mr. Morris?—Yes, it was.

526. Had you promised a vote for anyone else except Mr. Morris at the time you saw Mr. Concannen?—I do not know whether I did or not; I am not sure whether I promised any of the rest or not.

527. You are sure that you promised Mr. Morris?—There is no doubt about it that I promised Mr. Morris; there are no two questions about that.

528. There was no doubt about his election, you think?—Oh, with myself there was no doubt that he would have a sweeping majority; I would have gone to Dublin.

529. With respect to the 5 *l.*, you said that you thought O'Brien was for Mr. Morris?—I do not know who he was for.

530. My friend put it to you (but only mentioned Mr. Morris's name to you), whether it was for Mr. Morris or the other candidate, and you said that you believed it was for Mr. Morris; did you ever see O'Brien with Mr. Morris?—I think it was for Sir Rowland Blennerhassett; I got the money, but I do not know who did it.

531. You said something about Dublin?—I would have gone any distance to vote for Mr. Morris.

Cross-examined by Mr. *Coffey.*

532. I suppose everybody was canvassing you there?—Where, sir.

533. In Galway?—No doubt, all round about there.

534. Mr. Stubber was canvassing you?—Yes; he was canvassing there.

535. And Mr. Lever?—Yes; they were all canvassing and going about.

536. And Mr. Osborne canvassed you?—No.

537. Mr. Hurson canvassed you?—No, he never spoke to me; I do not think he did: if he did, I do not remember it.

538. There were a great many candidates in the field?—There were enough of them in.

539. You were bothered amongst them all?—There were enough of them.

540. Was not the general feeling there in favour of Mr. Morris and Sir Rowland Blennerhassett; was not that the general feeling?—It was, no doubt.

541. Is not that the fact, that there was a general feeling among the voters and the whole of the people of the district in favour of Mr. Morris and Sir Rowland Blennerhassett?—In favour of Mr. Morris.

542. And Sir Rowland Blennerhassett?—I do not know how that might go off.

543. You are an innocent?—I am not indeed an innocent.

544. You say somebody gave you a 5 *l.* note on the Saturday week after the election?—Yes; I am telling the truth.

545. Have you told everything that occurred about that transaction to the Committee?—I do not think I have told anything wrong.

546. Or kept anything back?—No, sir; indeed I do not.

Re-examined by Mr. Serjeant *Ballantine.*

547. Who do you say were the popular candidates; were Mr. Lever and Mr. Morris the popular candidates, or were Mr. Morris and Sir Rowland Blennerhassett the popular candidates?—I don't know anything of them at all except Mr. Morris; they were all fighting among themselves, but Mr. Morris was the only one that would be returned.

548. What did you take this 5 *l.* for if you had such an affection for Mr. Morris?—I took it for my vote.

549. For your vote for whom?—For whom?

Mr. *Rodwell* objected to the question.

550. Mr. Serjeant *Ballantine.*] What did you take the 5 *l.* for.

Mr. *Coffey* objected to the question.

551. By the *Committee.*] Did you understand, when you received the 5 *l.* that you received it in order to vote for Mr. Morris, or for Sir Rowland Blennerhassett?—I considered, when I was getting that 5 *l.* that it was for Sir Rowland Blennerhassett that I was getting it, that is all that I know in regard to the money.

552. Mr. Serjeant *Ballantine.*] You took the 5 *l.* for Sir Rowland Blennerhassett, and if I understand your answer to the Honourable Member, you would have voted for Mr. Morris whether or no?—I got 5 *l.*, but I would have voted for Mr. Morris no doubt, so I would.

553. Without the 5 *l.*?—If he had never a shilling, I would vote for him.

554. What I understand is this; that you sold your vote to Sir Rowland Blennerhassett, but that it had no influence on you with regard to Mr. Morris?—I don't know anything at all, but that I said that I would vote for Mr. Morris without a shilling, whether I got 5 *l.* for voting for the other man or not; that is my opinion as to how I did get it; I don't know whether I am right or not.

[The Witness was directed to withdraw.

Mr.

Mr. THOMAS MADDEN, called in; and, having been sworn, was examined by Mr. *Inderwick*, as follows:

555. WHAT are you?—I am a Corn Dealer and a Pig Dealer; I deal in several things.

556. Where do you live?—I live in Galway.

557. In the town?—Yes.

558. Do you know a man of the name of John Kirwan?—Yes, well; he lives near to me.

559. Did you see John Kirwan anywhere the night before the polling?—I did; and after the polling.

560. I want to know, first of all, the night before the polling, where was it you saw him?—I saw him at several places.

561. I mean the night before the polling?—I saw him at several places up and down the street.

562. Do you know the house of a man of the name of Murray?—

Mr. *O'Malley* said, that there was not in the list of petitioners any case specified in connection with Thomas Madden.

Mr. *Inderwick* replied, that he was examining as to seven voters whose names the petitioners had not been able to give.

Mr. *O'Malley* objected to any examination with reference to the seven voters so indicated.

Mr. *Inderwick* was heard against the objection.

Mr. *O'Malley* was heard in reply.

The *Chairman* stated, that the Committee were of opinion that they could not receive the evidence.

Mr. *Inderwick* stated, that he would continue the examination of the witness with reference to another case.

Mr. *O'Malley* asked the learned Counsel to specify the case with reference to which the examination was to proceed.

Mr. *Inderwick* replied, that it was the case of David Murdon.

Mr. *Rodwell* stated, that David Murdon's name was second on the list, and he had not been bribed by anybody.

Mr. *Inderwick* stated, that he would take the name of Andrew Cohen.

563. You know the house of a man named Murray?—Yes.

564. Did you see a person upon that night near Murray's house?—No, I did not.

565. Do you know a yard that Murray had?—I know Murray well.

566. Do you know where Murray's yard is?—I do.

567. Did you see any one at Murray's yard?—No, I did not.

568. Did you see Murray on the night before the election in the company of any voters?—No, I did not see Murray at all.

569. Did you see Kirwan with any of the voters?—I did.

570. Will you give us the names of some of the voters you saw with Kirwan the night before the voting?—I will; he brought in two of the name of Garvas, father and son, and an old fellow, named Paver; I think that was his name.

571. Did you see him on that night with Andrew Cohen?—I did not.

572. Do you know Andrew Cohen?—I do; he is here in London.

573. Do you know Patrick Needham?—I do.

574. Did you see Kirwan with Patrick Needham on that night?—I did not.

575. Do you know James Lennard?—No.

576. Do you know Thomas Dillon?—I do.

577. Did you see Kirwan with Thomas Dillon?—No, not that night; but the night after the election, when he was getting the money, I saw him.

578. Who was he getting the money from?—Kirwan.

579. Was there anyone else there when Dillon was getting the money?—There were a great number.

580. Were they all getting the money?—They were; it was equal to a public pay office.

581. You say, Thomas Dillon was getting money from Mr. Kirwan?—Yes.

582. What money did he get?—I cannot say how much money he got, but he got money.

583. By the *Committee.*] Where was this?—In Mr. Kirwan's own house: it was at the back door; there were several parties there.

584. Mr. *Inderwick.*] Just give us the names of the parties who were there; let us know who they were?—I will give you some of them.

Mr. *O'Malley* objected to the course of examination pursued, on the ground that the Committee having decided that no case not mentioned in the list should be inquired into; the learned Counsel was endeavouring to evade that decision by getting at the information by other means.

Mr. Serjeant *Ballantine* was heard against the objection.

Mr. *O'Malley* was heard in reply.

The *Chairman* stated, that the Committee were of opinion that the question might be asked.

585. Mr. *Inderwick.*] At the time, you say, Dillon had this matter, who was present?—There was no one present but Mr. Kirwan and Dillon; he came out of his shop when Mr. Kirwan's maid went and told him that Dillon was waiting for him.

586. Were you there?—Yes.

587. By the *Committee.*] Were you the only person there?—Yes; there was a very respectable man standing along with me, named Rye.

588. Was he present at the time the money was given?—No; but when Mr. Kirwan found out that I was there, he told the rest of the fellows to go off, and that he had a spy at the door; I was speaking to another man, Kenealey, who got money besides.

589. What did Kirwan say, if anything, at the time he gave the money to Dillon?—He did not keep Dillon more than three minutes, for he had a house full of those fellows who were looking for money.

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590. Did Mr. Kirwan say anything at the time he gave the money to Dillon?—Only three or four words; he did not speak more than a minute or two, when Mr. Kirwan came out of the shop.

591. Did you hear what he said to Dillon?—He just congratulated him on giving the vote, put his hand into his pocket, and gave him the money; and then he came out; he had too much to attend to; there were a great many coming for their money at the time.

592. You say that he congratulated him on giving the vote; was any name mentioned for whom the vote was given?—No; no name was mentioned; Dillon admitted the case; he told me afterwards that it was a fair bargain between himself and Mr. Kirwan.

593. By the *Committee.*] You said no one else was there besides these two men?—There were a great many parties looking for their money at the time, and Dillon was more respectable than the parties looking for their money, and he came out, and Mr. Kirwan came out to him.

594. You said no one there was present besides these two men, and then you said afterwards that a number of others were present?—There were two apartments in the house, and he withdrew from one apartment.

595. To an inner room?—No; there is a lobby.

596. You stayed in the lobby, or did you stay in the inner room?—Inside the hall.

597. This was going on in the inner room?—It is a pawn-shop; there is a large shop on this side and a clothes shop on that side.

598. You stayed at the door?—Yes, just so; in the hall.

599. You saw the money pass?—To be sure I did, and there was more than one party, too.

600. Mr. *Inderwick.*] Do you know Michael Hughes?—No; I have nothing to say to Michael Hughes.

601. Do you know Patrick Hughes?—I have nothing to say to them; I may know them; I know a good many of the Hughes.

602. Do you know James Campbell?—I do.

603. Did you see James Campbell there that night?—No; I saw several parties locked up at Kirwan's.

604. Can you mention the names?—Yes, I will mention a good many of them, if you like; I saw the Garveys locked up there.

605. Can you give the names?—I can give the name; I saw John Garvey and Pat Garvey.

606. This night, when you saw the persons, did you put their names down in a book?—I did, immediately on the spot; my own house was no more than ten yards from it.

607. Have you got the book?—No, but I have a copy written off from my book.

608. Did you make that copy yourself?—No, I did not; I got my nephew to copy it; but I have got the book.

609. Where is it?—At Galway.

610. Can you get it over?—Yes, to be sure I can, by telegraphing for it.

611. You cannot give the names without that book?—The names are in that book.

612. You cannot give the names without that book?—Oh, yes; I will give you the names.

613. Then now do give the names?

Mr. *Rodwell.*] The names of what?

614. Mr. *Inderwick.*] Give the names of the persons who were present at Kirwan's house that night?—There was Kenealey, Dillon, Green, and Donovan.

615. Was it William Donovan?—Yes, I believe it was William Donovan.

616. Was it Denis Kenealey?—Yes.

617. Was it Michael Green?—Yes; his name is Mick Green; I could name more if you liked; there were several parties in it.

Cross-examined by Mr. *Rodwell.*

618. You are a voter?—I am.

619. For whom did you vote?—I voted for Morris and Lever.

620. When did Mr. Morris canvass you for his vote?—I believe he canvassed me a month before the election, but I cannot exactly say.

621. Was it not about the spring?—It might be two months, for aught I could say, before the election.

622. You promised Mr. Morris when he canvassed you that you would vote for him?—I did; and I did vote for him.

623. You all along intended to vote for him?—Certainly.

624. You did not get anything on your vote?—No.

625. Do you know that a good many who supported Mr. Lever gave their first votes for Mr. Morris?—I do not know anything about it, for I did not take a very active part in the election.

626. In watching the opponents?—No, I should like Mr. Morris and Mr. Lever to be returned.

Cross-examined by Mr. *Coffey.*

627. Is Kirwan a friend of yours?—He is no friend of mine whatever.

628. He is not a friend of yours?—No more than this: I have never had anything to say to the man.

629. What took you into his shop that evening?—When he came out of it, I withdrew.

630. What brought you in there?—That is my business.

631. What brought you in there?—To look at the people getting the money.

632. And to put down in your little pocket-book what you had spied out?—Quite so; I put it down in my pocket-book.

633. Then you went in to be a spy?—Yes.

634. Having determined to take that honourable position, where did the spy station himself?—At the door, inside the door, and outside the door, and at the window.

635. Were you at the door, outside the door, and at the window, all at the same time?—Yes, I was occasionally; I was sometimes at the window and sometimes at the door.

636. And all at the one time; well, could you tell us now how much money was given?—I could not exactly see the sum of money; but I was offered to be treated out of it, but I would not accept it.

637. Although you did act this part of spy, that is no reason why you are not to answer the question?—Certainly not; with great respect, I will answer every question.

638. I ask you, where was it you stationed yourself when you performed this part of spy?—First, at Mr. Kirwan's window; the large number of fellows there excited me when I was passing by the window, and then I stood there.

639. Have

639. Have you done with your speech; are you quite done?—Yes.

640. Again I ask you, where did you station yourself when you saw the money pass?—Inside Mr. Kirwan's hall door.

641. Were you in the passage, the shop, or the parlour?—It was a passage leading to an open shop; it was a public passage leading into his pawn shop.

642. You stationed yourself in the public passage?—Yes.

643. Was that open to the public at large, to pass in and out?—It was a passage into the office.

644. You put yourself into this public place there?—Yes.

645. Where were Mr. Kirwan and Dillon at the time you say this money passed?—I will tell you that——

646. You may sit down now and be quiet?—I want to give every satisfaction; here is the room here (*describing it*), here is his pawn-office, and here is another shop here, which is a clothes shop; and he came out of the pawn-office, and he stood between the two doors, do you see? and then he just spoke a few words to Dillon and congratulated him, when he put his hands in his his pocket, and Dillon came out with the money; I was with him when he came out with the money in his hands.

647. Now, please, answer my question; you say you were in this public passage when this transaction occurred?—Yes.

648. Were you near enough to hear what passed between them?—Yes; Mr. Kirwan spoke some very friendly words to Mr. Dillon, and returned thanks, and gave the money, and out he went.

649. The question I asked you is a very simple one; were you near enough to hear everything that was said by Mr. Kirwan to Dillon and by Dillon to Mr. Kirwan?—I told you very distinctly that there were only very few words said.

650. Were you near enough to hear what passed?—Quite so.

651. You are perfectly certain of that?—No doubt.

652. There can be no mistake about that?—No mistake.

653. How long did you remain there?—I stopped there from nine o'clock to eleven, for they were coming in by twenties.

654. Did I ask you whether they were coming in by twenties or forties?—Well, I want to satisfy you, because you are so anxious.

655. Your position is there as a witness to answer the questions that are asked of you; do not bandy words with me?—I am doing so with great respect.

656. I don't want to do anything unfair by you, but, if necessary, the Counsel instructed to examine you on the other side will ask you anything that he thinks right to clear up the matter; at present confine yourself to answering my questions; you say you were there between nine and eleven o'clock?—I stood there from nine till eleven o'clock, for I took my watch out and looked at it.

657. For a moment, let me understand you; when you went in and took out your watch, you observed that it was nine o'clock?—Yes, and it was eleven when I left.

658. Kirwan was in sight of you, when you saw him?—I was within three feet of him.

659. He had an opportunity of seeing you?—No; because his back was turned to the window, and I was behind his back looking right over his head; I could not be more than two feet from him; there was nothing but the glass between him and me.

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660. When you were at the door, and when you say this transaction occurred between Kirwan and Dillon, could Kirwan see you?—Kirwan could not see me.

661. Could Dillon see you?—He saw me when he was going in, and he saw me when he was coming out, for he was speaking to me upon coming out.

662. Answer my question; when this transaction occurred, could Dillon see you?—He did see me, and he was speaking to me.

663. When it occurred?—Yes; the minute after it occurred.

664. That was not when it occurred?—We could not be speaking together; he did not come four yards before he spoke to me.

665. Dillon did not?—No; he did not come four yards before he entered into conversation with me.

666. Do you mean that Kirwan did not come four yards?—No; Dillon did not come four yards, after getting the money from Kirwan, before he spoke to me.

667. Can you tell the Committee whether it was notes or gold that passed between those parties?—I believe it was notes.

668. I don't ask you what you believe?—It was notes.

669. Upon your oath, will you tell the Committee that it was notes?—Upon my oath, it was notes; will that do for you?

670. Now can you tell me whether there was more than one note?—I am sure that there was more than one note.

671. Are you swearing to the Committee what you absolutely saw, or what you believe?—That I absolutely saw notes, but I don't know the number of them.

672. Will you swear to the Committeee that they were bank notes, or money notes at all?—I will swear that they were bank notes.

673. Were they exposed or handed out?—They were for a few minutes, until he put them in his pocket, and he wanted to treat me afterwards with some of the money.

674. Never mind that; you have already sworn to the Committee that these bank notes were exposed in his hands for some minutes?—For a minute or so, or for two minutes, if I said so.

675. Was it for a minute or so, or for some minutes?—It might be a second; he took and put them in his pocket, and that was all.

676. Did you take out your watch?—I looked at the watch when I stood there, and when I left.

677. Did you see your watch to ascertain how many minutes the bank notes were exposed?—No, I did not.

678. Will you swear to the Committee that they were bank notes?—I will.

679. Will you swear to the Committee how many there were?—No.

680. Will you swear to the Committee that Mr. Kirwan said one word about money to that man in your hearing?—He did not give him much time to say anything.

681. Is that the question I asked you, sir; there is no use in evading giving me a direct answer?

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swer?—He gave them the money, and, before he gave the money, Dillon had told me that he had made a bargain with Mr. Kirwan.

682. I did not ask you any question about that?—I wanted to make you sensible of it.

683. I did not ask you one word about that; I asked you distinctly, did you hear Mr. Kirwan say one word to Dillon about money?—I distinctly heard him ask him in a friendly way how he was; there was not much time for him to ask him anything about it; he put his hand in his pocket and gave him the money.

684. Did Mr. Kirwan say to Dillon the word "money"?—Mr. Kirwan did not mention the word "money," because he had no occasion to do so; he gave him the money.

685. Then there was not anything said about money?—Devil a bit was there anything said about money, for he came out of the shop to give it to him.

686. Was Mr. Kirwan standing with his back to you the whole of the time of this transaction?—He was standing in the two doors.

687. Listen to my question; was Mr. Kirwan standing with his back to you during the whole of the time?—Indeed he was at that time.

688. How long was he standing in the position you describe?—Not more than a minute and a-half at the time he was giving the money to Dillon.

689. He had his back to you?—He had.

690. And Dillon was, I presume, facing you?—Dillon had his back to me, too; they were both sideways between the doors, under the jamb of the door in the little recess between the street door and where they were standing.

691. You have already told the Committee that Mr. Kirwan's back was towards you, when you say this transaction occurred; I ask you now whether Dillon was facing you at the time?—No, Dillon's back was turned towards me.

692. They both had their backs turned towards you?—Yes. they were both standing side by side speaking to each other; they were not half the distance from me that that door is.

693. While you saw this transaction, you say that both the men's backs were turned towards you; how soon after that did Dillon see you?—About two minutes.

694. How soon after that did Mr. Kirwan see you?—Not for a good while afterwards.

695. How long was it?—Nearly an hour, I dare say.

696. Were you standing in the same position (posted at the door in the passage), that you were during that time?—No, I was not.

697. Where did you go to?—There was a house within 12 feet, for I measured it, from Mr. Kirwan's office; it was Mr. Ryle's house; I was intimately acquainted with him; I went backwards and forwards occasionally, and watched there and saw them going in and out.

698. As I understand your evidence; between the hours of nine and 11, you were on the constant watch, but occasionally you were going backwards and forwards to the other house?—From Ryle's door I walked backwards and forwards, as it suited me.

699. Where did you put down this memorandum of what you saw?—It is written in my account book in Galway.

700. Did you write it that night?—Yes, the very minute I went home, and I produced it to the gentlemen now in London.

701. Did you voluntarily undertake this duty, or did anyone suggest it to you?—Myself; on my oath, I did it voluntarily.

702. Then you, of course, must have a great interest in Mr. Lever, to undertake this duty?—I had at that time, I liked him well

703. Have you got a nephew?—I have.

704. What is his name?—Peter Lydon.

705. What employment is he in now?—At home with me; he was not more than three months at Mr. Lever's, when I took him out of it.

706. In what capacity was he employed by Mr. Lever?—I believe he was a clerk, writing in Mr. Lever's office, and I took him out of Mr. Lever's office.

707. In London or in Galway?—In London; the wages he had at Mr. Lever's office would not support a cat; I took him out of it and brought him home.

Mr. *Inderwick* applied for an adjournment until Monday morning, on the ground that the petitioners wished to send to Ireland for the book in which the Witness had made the entries of which he had given evidence.

Mr. *O'Malley* objected to any adjournment.

The *Committee* allowed the objection.

Re-examined by Mr. *Inderwick.*

708. Do you say, that you can give the names of the persons that you wrote in your book?—I can give some of them.

709. You say you were watching from nine till 11?—I was.

710. Were you in such a position that you could see all that came in and out?—I put myself in that position purposely.

711. How many do you think there were that came in and went out during the time you were there?—There were as many as 30; they came in in ones, and twos, and threes, and fours; I took down five or six of their names, particularly; Donovan, Dillon, and Dewar, were amongst them.

712. With regard to these notes, you say that you are certain they were bank notes?—To be sure.

713. Were they 1 *l.* notes or 5 *l.* notes?—I am pretty sure that they were 1 *l.* notes: I think I am sure of that; they were not 5 *l.* notes.

714. By the *Committee.*] Did you say that you saw the money pass yourself?—Yes.

715. At that time you were how many yards off, do you think?—I could not be more than two or three yards off.

716. And both men had their backs to you?—Yes; both were sitting face to face at the time.

717. When both had there backs to you, how could you distinguish the notes that were passing between them; was there some space between them?—There was a gas light alight in the two shops and the door between them, and there were lights from each house, and when he was handing the notes I saw the money.

718. Neither of them saw you?—No, neither of them; but Kirwan discovered that I was in there afterwards, and came out and called me a spy; he said, "I cannot pay any of you, because there is a spy at the door."

719. Who

719. Who is Kenealey?—A shoemaker.

720. Is he a master shoemaker, or journeyman?—I believe he is a master shoemaker now.

721. What is Dillon?—He is a watchmaker; I believe he will be here.

722. What do you mean by a watchmaker?—He makes watches and sells them.

723. With his own hands?—Yes; and he has them in his own window.

724. He keeps a shop?—Oh yes; he keeps a shop; it is a jewellery shop.

725. What sized shop is it?—It is a very decent and very nice shop; he is a very respectable man.

726. It is a smartish shop?—Yes.

727. And a good many watches are sold there?—Oh, a great deal.

728. Who is Green?—Green is a tinsmith; he is a very poor man.

729. You did not mention any other names, did you?—Yes, Donovan and Dewar.

730. What is Donovan?—He is a publican.

731. What is Dewar?—I think he is dead.

732. What was his business?—A coach painter.

733. Do you mean a working painter?—Yes; he would paint carriages.

734. Had he a shop of his own?—No, he had not a shop of his own.

735. Has Kirwan a large shop?—He has a good snug shop; he is a very decent man.

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736. He has a large family?—No, he has not; he has grown-up sons, sons of about 20 years of age and more; he is a man that entered into a long conversation with me about getting the money, and he told me the parties who employed him too.

737. Kirwan is a pawnbroker?—Yes.

738. Can you state with certainty that the various parties that you saw passing in and out, especially those you mentioned, did not visit his shop in the ordinary course of business?—I can swear positively that they went in for the money.

739. Can you swear positively that they did not visit his shop in the ordinary course of business?—I can, Sir, because I heard them calling for the money, and asking for it, and I heard Kirwan give them excuses, telling them to call again, a good many of them; he had not money for all of them; a great many of them were coming in so fast that the shop was crowded.

740. You can swear that it was not in the ordinary course of business?—I can, Sir.

[The Witness was directed to withdraw.

Adjourned to Monday next, at Eleven o'clock.

Monday, 7th May 1866.

HENRY HUSSEY VIVIAN, Esq., IN THE CHAIR.

Mr. *Thomas Dillon* was then called in, and was about to be sworn, when he demanded a guarantee for his expenses before giving his evidence; a discussion ensued, after which a bank note was handed to the Committee clerk as an assurance that the expenses would be paid, whereupon the Witness was sworn and examined, as follows, by Mr. Serjeant *Ballantine*:—

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741. ARE you a ratepayer at Galway?—Yes.

742. At the last election did you see Mr. Lever?—I did.

743. Did you make him any promise?—I did.

744. To vote for him?—Yes.

745. Were you canvassed afterwards by Mr. Morris and Mr. Kirwan together?—I was canvassed a long time before that by Mr. Morris.

746. Was Kirwan with him?—Which Kirwan do you mean, because there are a dozen Kirwan's in the place.

747. I mean John Kirwan?—What business is he.

748. I believe he carries on the business of a pawnbroker?—Then he was not with him.

749. I want to know whether you did not see Morris and Kirwan after you promised your vote to Mr. Lever?—How do you mean, "Did I not see them"? I see them every day of my life going through the town; do you mean, did I see them in conjunction with each other; do you mean to ask me whether Mr. Morris and Mr. Kirwan came together to know whether I would vote for Mr. Morris.

750. Yes?—I did not see them together.

751. Have you said that you did?—If I have the shorthand writer has it down.

752. Is this your handwriting (*showing a document to the Witness*)?—No.

753. It is not your handwriting?—What part of it do you mean.

754. You need not play tricks with me, you know what I mean?—It is you that are playing tricks with me; what do you mean.

755. Go to your chair, sir; now, look at this document (*handing same to the Witness*); do you see a signature?—Yes.

756. Is the signature your handwriting?—The signature; now you put the question right; it is.

757. Do not be insolent, but answer the question?—Well, I have answered the question; it is.

758. Was the statement in that document read over to you?—I read it myself.

759. Look at it again; did you read it yourself before you attached your signature to it?—I did.

760. Look at it again?—Do you mean for me to read it all over again.

761. Yes?—"I, the undersigned ——"

762. Read it to yourself.

The *Witness* perused the document for some time.

763. Now, I ask you, having read that ——?—I have not read it yet.

The *Witness* again perused the document for some time.

764. Have you read it now?—No, I have not.

The *Witness* again studied the document for some time.

The *Witness.*] Now I have read it.

765. Now, I ask you, were you canvassed by Mr. Morris and Mr. Kirwan after you promised your vote to Mr. Lever?—After.

766. That is my question?—No.

767. Do you swear that you were not?—I do.

768. You have read that document?—I have.

769. Did you make the statement that you were?—That I was what?

770. Have you read there that you were canvassed by them after promising your vote to Mr. Lever?—I have read it through.

771. Is that true?—I will tell you how it is.

772. Is that true?—I will tell you how it is.

773. Answer my question first; is that true?—I will answer your question, but I want to answer it in a way that will enable the Committee to see the truth of it; I believe that is the proper way; that thing there was written and it was signed by me for the purpose of getting into the confidence of a party who was making a plot or a conspiracy; and if I had not become, for a while, a party to it, to a certain extent, as I was, inasmuch as I have my name to it, I could not have found out the whole particulars of it.

774. Now, do you mean that the whole of this is a falsehood; I will read to you: "I, the undersigned, was canvassed for my vote at the late election for Galway by Mr. J. O. Lever, and promised him; I was afterwards canvassed by Mr. Morris and his agent or friend, J. Kirwan, who said he was particularly interested for Mr. Morris; I then asked J. Kirwan if his friend was giving any money, and he said, 'Yes;' I then said I promised Mr. Lever, and would it do to split for Mr. Lever and Mr. Morris; Kirwan said

said 'No,' but if I would vote for Mr. Morris and Sir Rowland Blennerhassett I would get 5 *l.* in hand and 5 *l.* another day; I voted accordingly, and got 5 *l.* from John Kirwan on the election day, and was seen paid by Thomas Madden, of Abbey-street"?—It was only for the purpose of finding out what the plot was; I got a kind of wrinkle that a plot was going on, and I made up this story for the purpose of being able to discover it to the parties plotted against; certainly it is a bad thing to break confidence, unless in an extreme case, and this is an extreme case; just the same as if this place was going to be blown up by gunpowder, I should be very much obliged to any one telling me of it; and it would be a very good thing for any one to break confidence and tell us all about it.

The *Chairman* suggested that there might be witnesses in the room who would be required to be called on Mr. Stubber's petition; and the Committee therefore warned such witnesses and the parties to the petition that the rule of exclusion would apply equally to them as to those who were being examined in the present case.

Mr. *Coffey* stated that he was informed that all witnesses were out of the room.

Mr. *Ribton* said he would take care for the future that none were allowed to be in the room; but he hoped that the Committee would not hold his client responsible for the conduct of any witnesses hitherto who might have been in the room, and who might be required to be called upon his petition, because the petition on which he appeared was not before the Committee.

Mr. *Coffey* contended that Mr. Stubber's petition was as much under consideration as that of Mr. Lever.

The *Chairman* stated that the observation he had made was intended as a warning to all parties.

775. Mr. Serjeant *Ballantine.*] Is the whole of this statement a falsehood?—It is a part played for the purpose of finding out a conspiracy.

776. Answer my question; is the whole of this statement a falsehood?—The whole of it.

777. The whole of it is a falsehood?—Let me read it; some parts of it may be true; this part is true: "I, the undersigned, was canvassed for my vote at the late election for Galway by Mr. J. O. Lever, and promised it;" down to there it is true; "I was afterwards canvassed by Mr. Morris and his agent, or friend, Mr. J. Kirwan," that is not true; "who said he was particularly interested for Mr. Morris," that is not true; "I then asked J. Kirwan if his friend was giving any money, and he said 'Yes;'" that is not true; "I then said I promised Mr. Lever," that is not true; it is not true that I ever said that to Mr. Kirwan; "and would it do to split for Mr. Lever"—oh, that is not true at all—"and Mr. Morris;" I saw that this was what the plotters or conspirators wanted, exactly, and I gave it to them for the purpose of getting into their confidence.

778. Never mind about making a speech; you can justify yourself presently; tell us what is true and what is false?—"That I would vote for Mr. Morris and Sir Rowland Blennerhassett, and that I would get 5 *l.*," that is not true; "and 5 *l.* another day," not a word of that is true; "that I voted accordingly, and got 5 *l.*," I never got a farthing, consequently this is not true, "from John Kirwan on the election day, and was seen paid by Thomas Madden;" that is not true; but Mr. Madden said that he saw me, and that is not true.

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779. It is all untrue, except the part that is immaterial?—It is all untrue, except the part that is true.

780. It is not true that you received the 5 *l.* at all?—It is false.

781. That is entirely a falsehood?—Quite so.

782. And all about it is an invention, is it?—Yes.

783. Is it your invention, or somebody else's?—It is a kind of joint invention.

784. Well, just tell us who the other respectable gentleman is who joined you; joint, you know, means at least two; who is the other person?—Really I would as soon not tell his name; he is a particular friend, and a staunch friend of Mr. Lever.

785. Who joined with you to deceive and cheat him?—Well, he thought I was going to cheat, and also going to plot with him.

786. What is his name, because we like to have a couple of witnesses?—I believe his name is Walter Stainton; it is signed there.

787. Walter Stainton; do you mean that he joined with you to deceive Mr. Lever?—No, I say he was a staunch and sincere friend of Mr. Lever's.

788. Do not talk about staunch friendships?—Yes, I will; he is a staunch friend; in justice to Mr. Stainton, I say it.

789. Who signed this?—I wrote that letter.

790. Now just attend to me; I did not ask you about Mr. Lever's friends, I asked you with whom you joined to cheat Mr. Lever and defraud him?—In justice to Mr. Stainton, I told you that Mr. Stainton was a staunch and sincere friend of Mr. Lever; I must say it in justice to Mr. Stainton.

791. Now do not begin to praise anybody?—I am only doing it in common justice to Mr. Stainton.

792. Never mind your justice?—We must have a correct definition of justice; that must be understood.

793. We may have a definition of justice that might not be pleasing to you; just answer my question; did you invent this out of your own mind, or did you and somebody else combine?—That letter was brought to me written, and he asked me, was that the state of things, and I said it was; "Will you sign your name to it?" said he; "To be sure, I will," said I.

794. Do you mean, then, that you told Stainton nothing?—I told Stainton just about what is in that, and he wrote it out.

795. Now I ask you; you say that you signed your name to this, intending to discover a plot, or to defeat a plot?—Certainly.

796. That is your story?—That is really the truth.

797. Now just attend to me; did you do it of your own accord, or did you and somebody else do it?—Of my own accord; no one knew a syllable of it.

798. Have you told anybody on the other side that you have done it?—Since when.

799. Since you did it?—I should like you very much to state how long since.

200. I shall

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800. I shall not state it?—I will tell you; I did two or three days ago.

801. Only two or three days ago?—I think so.

802. Now that was the first time that you mentioned to anybody that you had told this falsehood?—It was, and I will give you my reason if you wish.

803. I do not wonder at your particularity about your expenses?—I will give you my reason; until I had everything worked up, I would not tell them.

804. Until you had everything worked up; then you have been working things up, have you?—No.

805. What do you mean?—Until I was served with the Speaker's warrant.

806. You meant to have your expenses paid by the other side, and then you meant to betray them?—I meant to do a good thing. I beg your pardon; an informer, if you wish to call me one, is a most useful man when he informs for useful purposes; no man deserves more credit.

807. An informer is what?—A most useful man.

808. Well, occasionally I think your countrymen do not think so; you think an informer is a most useful man?—Sometimes.

809. And a most honourable and upright man, do you think?—I think that the man who discovered the Gunpowder Plot was a very useful man, and I think those who think he was not must be very bad.

810. Are you a Roman Catholic or a Protestant?—I am a Protestant.

811. Now three days ago, to whom did you mention this; you know you cannot have forgotten all that took place three days ago; whom did you mention it to?—I mentioned it to Mr. George Morris.

812. Do you mean your Member?—No; I do not think he heard it till now.

813. Is he any relation of Mr. Michael Morris?—Only a brother.

814. Well, that is generally supposed to be a relation, I believe; at any rate it is with us; so you told Mr. Morris, did you?—Which Mr. Morris.

815. Mr. George Morris?—I did.

816. How did that happen?—I told it to him to let him know that I had discovered a plot, for the purpose of its being countered.

817. Where did you tell him?—I told him in Galway.

818. Did you call upon him, or he upon you?—I called upon him.

819. You called upon him to tell him?—Yes.

820. Did you tell him you had got a Speaker's warrant?—I did.

821. What else did you say to him?—That I was going to London.

822. Did you tell him what for?—To tell the truth.

823. Oh yes; but he would not care about that, you know?—Oh, he would; that is a mistake.

824. Unless you told him what the truth was, or however much he might venerate the truth, that would come to nothing; you must have told him what you were going up to London for?—On a Speaker's warrant.

825. Yes, but to say what; did you tell him that you had signed a paper?—I did.

826. You told him you had signed a paper; did you tell him what was in it?—No, I think not.

827. Oh, now, recollect yourself; you had discovered a plot, you say?—I told him I had discovered it, but I did not tell him what was in it.

828. You see I can help you?—No, you cannot; you asked me whether I told him what was in it; I did not.

829. That you had discovered a plot?—Yes.

830. And that you had signed a paper?—Yes.

831. Did you tell him you would get the money out of the other side, and that you would contradict everything you had said?—I do not think I said that; it is at a loss I am here.

832. Do you mean to say that Mr. George Morris will not consider your having discovered a plot?—I am as satisfied of it as that you have a wig on.

833. Do not be certain of that?—If Mr. Morris or any other person dares to do so, I look on it as a gross insult.

834. If anybody dares to offer you money, you will consider it a gross insult?—I will take my expenses; for what purpose do you mean.

835. Do you mean that if Mr. Morris, out of regard for your excellent conduct in discovering a plot, were to offer you money, you would consider it an insult?—Yes.

836. And you would not take it?—I would not take it; and adding to insult a gross insult.

837. Very well, I will take the adjective as well, a gross insult; well, now, I will leave you to my friends, who perhaps may get something out of you?—I beg your pardon.

Cross-examined by Mr. *Blake.*

838. You have known Mr. Morris for a great many years?—Yes.

839. You heard Mr. Morris intended to seek the representation of the town of Galway for some years before?—Yes, I did.

840. You saw him, I think, shortly after the assizes in March 1865?—I think I did.

841. Was it in March or April?—I do not know exactly about the time; I know I saw him.

842. He canvassed you then, I believe?—He did.

843. He was alone, I believe, at the time he canvassed you?—He was alone.

844. Do you recollect the time that Mr. Morris arrived in Galway, just about the time that the writ arrived, and addressed the people at the Square?—Well, you know, I never go about at all; I always work.

845. But do you recollect something about it?—I think I recollect something of that; I heard people talking of it, but I never go out to see anything at all.

846. Now, did you promise Mr. Morris in March that you would support him?—A good while before the election; I cannot say when it was.

847. Now from the time that you then promised him until the day of the election, did you ever see Mr. Morris again; have you any recollection?—I will not swear I never saw him, but I will swear I never spoke to him; of course you mean Mr. Michael Morris.

848. Yes, Mr. Michael Morris; now, I think it was within the last two or three days that you told

told Mr. George Morris anything at all about that document?—It was.

849. Up to that time, had you told any person, Mr. George Morris or Mr. Michael Morris, anything at all about it?—I had not even told my wife.

850. Not Mr. George Morris?—No, not a single soul; not even my most intimate friend.

Cross-examined by Mr. *Coffey*.

851. Just one word; now, did you receive five notes from Mr. Kirwan, the pawnbroker?—I did not; nor five farthings.

852. Did you, for your vote at the last Galway election, say to Mr. Madden that you had been paid the money, and it was a fair bargain between you and Mr. Kirwan?—No; I never told Madden any such thing.

853. You never said anything of that sort?—Not to Mr. Madden; is that what you asked me.

854. Yes?—I never said it to Mr. Madden.

855. Now, if anybody said that you admitted that you had received money, and that you told Madden that it was a fair bargain between yourself and Mr. Kirwan, would that be true?—Say that again, please.

856. If anybody said that you informed Madden that you had received money from Kirwan for your vote, and that it was a fair bargain between you and Mr. Kirwan, would that be true; do you say that?—Did I say it; it is written in a letter, and I indorsed the letter.

857. In point of fact, did you say to Madden, coming out of Kirwan's, the pawnbroker's house, that you had got money from him, and that it was a fair bargain between you and Mr. Kirwan; did you say that to Madden?—I don't recollect ever having said that.

858. Now tell me, do you recollect the day that the election for Galway was held; the polling day?—Well.

859. Did you go into Kirwan's, the pawnbroker's, the night after the election, and get any sum of money from him whatever?—I think it was the night of the day of the election, I think so, that I went in. Mind you, I don't mean to say that it was the night of the day of the election that I went in and got money; that is what you said.

860. I will put it shortly; after the election, whether a day, or two days, or three days, but after the election, did Kirwan hand you any money?—No.

861. In any shape of form, notes or gold, or anything else?—No.

862. At any time?—No; at any time he did not.

863. Did you directly or indirectly receive any sum of money from Kirwan?—Not the value of a farthing from Kirwan or any other being, nor a promise of anything.

Re-examined by Mr. Serjeant *Ballantine*.

864. Have you seen Kirwan here?—Where.

865. Well, you know where you are, don't you?—I have not seen him here.

866. Have you seen him outside?—Yes.

867. Have you spoken to him?—Yes.

868. When, on Saturday?—No, just now, this moment; I did not see or look for him; I met him accidentally in the hall outside.

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869. Did you see Kirwan on Saturday?—No.

870. When did you come to London?—I forget precisely the day, I have been so knocked about; there is Mr. Concannon there.

871. I know Mr. Concannon; when did you come to London; you do not want a witness to that?—No; it is just that I want to recollect it, I am so knocked about.

872. Oh, how very shocking; but when did you come to London?—I think it was Friday night.

873. Do not you know?—Yes, Friday night.

874. Where did you go to?—No; it must be Friday night I left Galway.

875. Well, you know that is very different?—I declare I don't recollect, simple as it may be.

876. Do you mean upon your oath, sir, to tell the Committee that you don't know when you came up to London?—I have no interest in the world to deny that.

877. Just answer the question, and don't make speeches about your interest?—Will you have the kindness to tell me what day was the 4th; I left Galway on the 4th, if that was Friday.

878. Do you mean to tell the Committee that you don't know what day of the week you came up to London, this being Monday; one would almost imagine that you were trying to think how you should account for your time?—Yes, I left on Friday night at 12 o'clock, and I arrived on Saturday evening about seven o'clock.

879. Where did you go to?—Stay now, just till I think; I don't know London at all.

880. Where did you go to?—I went astray yesterday; I came to Euston station; I went in a railway underground to some other place, and then I went to a place where I slept.

881. Where is the house?—I could not tell you; I was looking for it for three hours, and I could not find it.

882. You have no notion?—I think I have.

883. Could you give me any idea of where it was?—I think it is a place called the York-road.

884. Who was with you?—A gentleman of the name of Mr. Hart.

885. Anybody else?—Not a soul.

886. Did you see Mr. Reddington?—Which Mr. Reddington.

887. Did you see any Mr. Reddington?—When.

888. On Saturday night?—No.

889. On Sunday?—I did on Sunday.

890. He is the agent for Sir Rowland Blennerhassett, is he not?—Indeed I cannot say myself.

891. Where did you see Mr. Reddington?—When did you say, or where.

892. When?—On Sunday morning.

893. In the York-road?—No.

894. What did he come to see you for?—He did not come to see me.

895. Where did you see him?—I went to see Mr. Reddington.

896. Where?—At the "Westminster Palace Hotel."

897. How came you to go there?—I walked there.

898. How was it you went to find Mr. Reddington, the agent for Sir Rowland Blennerhassett?—How did I come to see him.

899. That is exactly my question?—What is the reason that I did.

900. Yes, how did it happen that you went to see

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see Mr. Reddington?—For what reason did I go to see him him.

901. That is the question, and I am rather glad of your repeating it, because it shows you understand it?—I went to see him to tell him.

902. To tell him what?—That there was a plot against Sir Rowland Blennerhassett.

903. On Sunday you went to tell Mr. Reddington that there was a plot?—Against Sir Rowland Blennerhassett.

904. I thought you said you did not know who Mr. Reddington was?—I did not say any such thing.

905. Did you know he was agent for Sir Rowland Blennerhassett?—That is another thing; I know him very well; I did not know he was agent.

906. Did you know he was the agent for the sitting Member?—I did not.

907. Do you know whether or not he is agent for the sitting Member?—I cannot say whether he is or not; I know that Mr. Reddington is a solicitor.

908. Who was it who told you to go to Mr. Reddington in the "Westminster Palace Hotel;" you must know that, so out with it?—I am just thinking I have the address with me in my pocket-book.

909. Yo have got it with you, have you; show it me; out with it?—Here it is (*pulling out his pocket-book*); I will tell you who gave me the address.

910. Who gave it to you?—Mr. Peter Phinn, of Galway.

911. Who is Mr. Peter Phinn, of Galway?—I will tell you; he is Peter Phinn, of Galway.

912. You know what he is?—I do.

913. And what is he?—A grocer.

914. And how came he to give you the address?—I asked him for it.

915. For what purpose?—For the purpose of speaking to Mr. Reddington.

916. Is Mr. Reddington here to-day?—He is in court, I suppose.

Mr. *Coffey*.] Yes.

917. Mr. Serjeant *Ballantine*.] I will just ask you, in the presence of Mr. Reddington, what was said about expenses?—Not a word, that I am aware of.

918. Now, upon your solemn oath, was nothing said about money between you and Mr. Reddington?—Upon my solemn oath there was not.

919. Nor about expenses?—No.

920. On your solemn oath?—On my solemn oath.

921. Not a word about expenses; now be cautious, because we shall have Mr. Reddington here presently?—There certainly was not.

922. That you swear?—I do.

923. Mr. *Coffey*.] This is the gentleman you are referring to (*pointing to Mr. Reddington*)?—That is the gentleman; not a word about expenses or money, with respect to either of the Mr. Reddingtons.

924. Did you see the other then?—I saw him to-day, outside in the hall.

925. Had you any conversation with him?—I had.

926. What about?—He knew that you were coming here as our Witness, you know.

Mr. *Coffey* said he had not interposed so long as the examination was confined to any conversation that might have occurred between Sir Rowland Blennerhassett's agent and the Witness, but now that the evidence was travelling beyond that limit, and was relating to matters that had not been referred to in cross-examination, he felt it necessary to object to the question.

Mr. Serjeant *Ballantine* was heard against the objection.

Mr. *Coffey* was heard in reply.

The *Chairman* said that the Committee were of opinion that the examination must be confined to matters arising out of the cross-examination.

Mr. Serjeant *Ballantine* said, then he would leave it as it stood, that one of the Mr. Reddington's was talking with the Witness in the passage to-day.

The *Chairman* asked which of the Mr. Reddingtons was referred to.

Mr. *Coffey* replied that it was Mr. Samuel Reddington with whom the Witness had stated he had a conversation at the "Westminster Palace Hotel."

The *Chairman* asked the name of the other Mr. Reddington.

Mr. *Coffey* replied that it was John Reddington.

The *Chairman* asked if the two Mr. Reddingtons were in partnership.

Mr. *Coffey* replied in the negative, and stated that upon consideration he would withdraw his objection.

927. By the *Committee*.] Who pays you for your expenses?—I cannot say until I get them.

928. Do you not know at all who gave you the money you have received?—What money.

929. The money on account of the expenses with regard to which you objected to be sworn until you were guaranteed the whole of them?—Oh, that is three guineas.

930. Well, who has paid you that?—I suppose Mr. Lever.

931. Those are the people that you have let into the trap?—No, not that I have let into a trap; they have let themselves into a trap.

932. Those are the people with respect to whom you signed the paper?—I did.

933. What is your business; what are you?—I am a watchmaker.

934. Do you keep a shop?—I do.

935. How many working watchmakers have you under you?—None.

936. Have you no apprentices and no workmen under you?—No, not at present.

937. How many persons have you to help you in the shop to serve customers?—None at all.

938. Have you a family?—Yes.

939. How old are they?—One of them, the eldest, is 13; and the youngest is two years old.

940. Have you had any conversation with anybody before this morning about your expenses of coming here as a witness?—It was a general kind of thing in Galway; one person was asking the other about it (that is those who were coming to the election), as to what they would be losers by it.

941. What

941. What did they say to you?—One man said he would get 60 *l.*

942. What for?—For his expenses; and another said that he would not get half as much; they were just guessing at it; you asked me if we had any conversation about it, and that is the conversation of several persons.

943. Had you no conversation with anybody, beyond your expenses; that is, had you no conversation with any legal or other gentleman as to your expenses of coming here?—No.

944. You came to London on the chance of being repaid?—No; I had the Speaker's warrant, and I understood that that was a guarantee for the expenses being paid; I came on the good faith and respectability of the Speaker of the House of Commons, and he is a very respectable man, I believe.

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The Witness was directed to withdraw; and, having done so, returned almost immediately, stating that he could not get any money for his expenses.

The *Chairman* informed him that he was only entitled to legal and necessary expenses; that his proper course was to go to the Speaker's Counsel, who would examine him, and certify to what amount he was entitled, which he would then be able to recover from the agents: he was then directed to withdraw.

Mr. James Ormsbee was called in; and, having been sworn, was Examined by Mr. *Inderwick*, as follows:

Mr. *J. Ormsbee.*

945. What are you?—A freeman.

946. What is your occupation?—A carpenter.

947. Were you canvassed by Mr. Lever?—I was.

948. And did you promise to vote for him?—I did.

949. Do you know John Pierce?—I do.

950. Were you canvassed by Pierce?—I was.

951. For whom?—Mr. Morris.

952. Were you canvassed by any one for Sir Rowland Blennerhassett?—Well, indeed I was not altogether for Sir Rowland Blennerhassett.

953. What do you mean by not altogether; were you canvassed at all for Sir Rowland Blennerhassett?—John Pierce never told me anything at all, but canvassed me for Mr. Morris.

954. Do you know Mr. Reddington?—I do.

955. Samuel Reddington?—Yes, sir.

956. Were you employed by Mr. Reddington at the time of the election?—I was.

957. As what?—As agent.

958. What were you to do; as what agent were you to act?—I was to see what I could do to get men to poll for Sir Rowland Blennerhassett and Mr. Morris.

959. What is Mr. Reddington?—He is a gentleman.

960. Is he a solicitor?—Yes.

961. Did you act upon that employment, and get the voters up to the poll?—I did what I could.

962. Did you act as personating agent?—No, not by any means.

963. What did you get for your agency?—Not a shilling.

964. Not a sixpence?—Not a sixpence.

965. Did you get nothing from any one for acting as agent?—Nothing from any one for acting as agent.

966. Who did you vote for?—I voted for Mr. Morris and Sir Rowland Blennerhassett.

967. Why did you not vote for Mr. Lever?

Mr. *Coffey* objected to the question on the ground that the witness should speak only to acts or facts, and not to motives.

The *Chairman* stated that the Committee were of opinion that the learned Counsel should not press his objection.

968. Mr. *Inderwick.*] I understand you to say, that you promised to vote for Mr. Lever?—Just so.

969. Was that before or after you were canvassed for Mr. Morris and Sir Rowland Blennerhassett?—About the same day.

970. You say you were not paid anything for your agency?—No.

971. Were you promised to be paid anything?—I was, sir.

972. By whom?—By Mr. Reddington.

973. How much?—I think it was about 5 *s.* a day.

974. You expected to be paid that?—I did.

975. By the *Committee.*] By Mr. Samuel Reddington?—Yes.

976. Mr. *Inderwick.*] How many days were you employed?—About seven days.

977. Do you know John Kirwan?—I do.

978. The pawnbroker?—Yes.

979. Did you ever have any money from John Kirwan?—No.

980. Never?—Never.

981. Just consider; do you mean to say that you never had any money at all from John Kirwan?—Well, if I had some money from him he took it back again, and would not give it to me.

982. Did you have some from him?—I never got in my possession any money from him; he handed me 5 *s* for a drink with a few men that were with me, and he took it back again.

983. Did you get 5 *l.* from John Kirwan?—No.

984. You did not?—No.

985. Do you know Edward Murdon?—I do.

986. Did you ever tell Edward Murdon that you had 5 *l.* from John Kirwan?—Never.

Mr. *Coffey* asked the learned Counsel upon what case he was examining the Witness.

Mr. *Inderwick* replied that he was examining in reference to the case of the Witness himself.

987. Did you receive any money from Mr. Higgins or Mr. Burke?—No.

988. Nothing?—No.

989. Did you ever state in the presence of Edward Murdon that you had had 5 *l.* for your vote?—I am sure I did.

990. Was that true?—That was true.

991. From whom did you receive the 5 *l.*?

[The Witness was directed to withdraw.

Mr. *J. Ormsbee.*

7 May 1866.

Mr. *Coffey* objected to the question.

Mr. Serjeant *Ballantine* was heard against the objection.

Mr. *Coffey* was heard in reply.

The *Chairman* stated that the Committee were of opinion that the question was one that might be asked.

The Witness was again called in, and the examination proceeded as follows:

992. From whom did you receive that 5 *l.* for your vote?—From Mr. Faby.

993. For whom did you vote?—For Sir Rowland Blennerhassett and Mr. Morris.

Mr. Serjeant *Ballantine*, in reply to the Chairman, stated that he had concluded his examination in chief.

Mr. *Coffey* stated that he did not intend to cross-examine the witness.

Mr. Serjeant *Ballantine* applied that the name of Faby might be added to the list of bribers, on the ground that the Witness had deceived those to whom he had given the information from which they had supplied the list of bribers.

An Honourable *Member* asked if the application was made on the ground of surprise.

Mr. Serjeant *Ballantine* replied in the affirmative.

Mr. *Coffey* was heard against the application.

Mr. Serjeant *Ballantine* was heard in reply.

The room was cleared.

After some time the Counsel, Agents, and Parties were called in, and informed by the Chairman that the Committee would allow the list to be amended under Resolution 4, by the addition of the name of Faby, on the understanding that the learned Counsel undertook to give evidence inculpating Faby as an agent.

[The Witness was directed to withdraw.

PATRICK NEEDHAM, was called in; and, having been sworn, was Examined, by Mr. Serjeant *Ballantine*, as follows:

P. Needham.

994. Is your name Patrick?

Mr. *Coffey* asked whether this Witness was produced under the Resolution which had just been come to by the Committee, with a view to prove the agency of Faby.

Mr. Serjeant *Ballantine* replied that he should prove agency.

Mr. *Coffey* asked whether the learned Counsel (Serjeant Ballantine) intended to comply with the requisition of the Committee, and give an undertaking to prove that Faby was an agent.

Mr. Serjeant *Ballantine* said that if he did not prove it, the evidence he should give would be struck out.

Mr. *Coffey* pressed for a more direct reply to his question.

Mr. Serjeant *Ballantine* asked if Mr. Coffey wished to know whether he (Mr. Serjeant Ballantine) would prove the agency.

Mr. *Coffey* replied in the affirmative.

Mr. Serjeant *Ballantine* said he would undertake to prove that agency, if the Witness, upon whose evidence he should endeavour to prove it, had not been tampered with. He was instructed that he should be able to prove the agency.

The *Chairman* stated that the learned Serjeant must undertake to give evidence in proof of the agency, or withdraw the name.

Mr. Serjeant *Ballantine* replied that all he could say was that he was instructed he could prove agency.

Mr. *Coffey* contended that this was not a compliance with the undertaking which the Committee had required.

Mr. Serjeant *Ballantine* stated that he was informed that the Witness named Edward Murdon would prove the agency *cadet quæstio*, and any evidence that he might give could be struck out.

995. Now, Needham; your name is Patrick?—Yes.

996. Do you live at Galway?—I do, but I am in London now.

997. Are you one of the freemen?—I am.

998. You voted at the last election?—I did.

999. For whom did you vote?—I voted for Mr. Morris and Sir Rowland Blennerhassett.

1000. Were you employed by them?—I was employed by Mr. Morris's agent.

1001. As what?—As a personating agent.

1002. Explain what you mean by a personating agent. Did you find somebody out?—There were two men; one came first and he had no vote, and voted for the other men; when the one man came he would not be allowed to vote.

1003. You acted at the booth?—I put a stop to it; Mr. Lever came, and Father Daly with him, and he wouldnot be allowed to vote; Mr. Lever asked what my name was, being a personating agent, and I told him my name was Needham, and he told me he would have me in London to prove against that man; I told him that whenever he would bring me I would go with him to prove the truth.

1004. You found out some one who was not a proper voter?—I found out that man; he was no proper voter.

1005. By the *Committee.*] Whom do you mean by Mr. Morris's agent?—Who do I mean by it; I mean that his attorney appointed me.

1006. What was his name?—Mr. Higgins, and he paid me for the agency too.

1007. Mr. Serjeant *Ballantine.*] How much did you get?—£. 1.

1008. For the polling day?—For the agency.

1009. You voted yourself?—I did.

1010. You

1010. You know Kirwan?—I do.

1011. What is Kirwan's business; he is a pawnbroker, is he not?—Yes, he is.

1012. Is he anything else?—I do not know that, but I know that he keeps a pawn office.

1013. Did you get anything from him?—I have had some clothes from him.

1014. Are those the clothes that you have on?—Yes; some of them.

1015. What did they come to?—About 19 *s.*

1016. Have you paid him the 19 *s.*?—I did not.

1017. What did you do?—He stopped it out.

1018. Out of what?—Out of the 5 *l.* that was coming to me for my vote.

1019. Did you get the balance?—I did.

1020. Four pounds one shilling?—There was 3 *l.* coming to me; I owed 1 *s.* 6 *d.*, and I gave him 1 *s.* 6 *d.*, and he gave me 3 *l.*

1021. Were there other things in pawn; had you anything in pawn?—I had nothing in pawn, but he gave me 18 *d.* to get a pint of porter for myself, and 1 *s.*, and that was 2 *s.* 6 *d.*; and I got all the balance up to 5 *l.*; he stopped it all when he was paying me the 5 *l.*

1022. But he stopped nearly 2 *l.*?—£. 2.

1023. You only got 3 *l.* you say?—He gave me a sovereign.

1024. That included the sovereign for your being an agent?—I voted on Saturday the 15th July, and then on the Tuesday I got a sovereign from him; and on the Tuesday he told me to call on the Saturday, and then he would pay me; I went up on the Wednesday, and I bought some things from him; there was 18 *d.* that he gave me to refresh myself with, and 1 *s.*, which made half-a-crown; then he gave me a sovereign on Tuesday, on the 18th of the month, and told me he would pay me on Saturday; and I went on Wednesday and bought articles from him, and he gave me the balance of the 5 *l.*

1025. Do you know a person named Lennard?—No.

1026. By the *Committee.*] You say you were employed by Higgins as agent?—I got 1 *l.* from him on Tuesday.

1027. Were you paid that 1 *l.* by him or by Kirwan?—By him.

1028. But Kirwan stopped it out of the 5 *l.*?—He did not; I was paid as personating agent 1 *l.*

1029. You got the balance of the 5 *l.* from Kirwan?—Yes.

1030. You got 6 *l.* altogether, when we add the agency?—Yes.

1031. Mr. Serjeant *Ballantine.*] Had you a polling ticket when you went up to poll (*showing the Witness a ticket*)?—I had Mr. Morris's polling ticket.

1032. Not Sir Rowland Blennerhassett's?—No.

1033. Did you ask for a ticket?—I asked for a ticket, and that is the ticket that I got.

1034. At the polling?—Yes; then I was told by Kirwan that Kirwan had my ticket, and I kept that in my pocket.

1035. What for?—Because I did not know whether I would not be paid as much more for that as I was paid for Mr. Morris's.

1036. By the *Committee.*] For what?—As personating agent, for they had ne'er a one but myself.

1037. You thought that you might get another 1 *l.* from Sir Rowland Blennerhassett?—Yes, surely.

1038. Did you get it?—I did not.

1039. Mr. Serjeant *Ballantine.*] Do you know a person of the name of Lennard?—No; what Lennard do you mean?

1040. James Lennard?—Oh yes, he is a tailor; I saw him coming out of the pawn office, and he showed me the notes in his fist, and he said, "Go in now, he is now in the pawn office."

1041. He showed you the notes in his fist?—He did.

1042. Was Lennard a voter?—He was.

1043. How many notes did he show you?—Five notes.

1044. What did he say when he showed you these five notes?—He told me that Mr. Kirwan was inside, and that I would get my money.

1045. He was coming out of the pawn-shop, and showed you five notes?—Yes.

1046. By the *Committee.*] Did Lennard state to you what amount he had received, when he showed you the notes in his fist?—He showed me the five notes, and told me that Kirwan was inside, and that I would get my money.

Cross-examined by Mr. *Blake.*

1047. Did you promise Mr. Morris to vote for him, some time before the election?—I did not promise Mr. Morris, for Mr. Morris never came to me.

1048. Did he not go to you at all?—I voted for him, but Mr. Morris never came to me; neither did Sir Rowland Blennerhassett come to me.

1049. You were employed as a personating agent in the booth for Mr. Morris?—I was.

1050. And for that you were paid the sum of 1 *l.*?—I was.

1051. That did not form part of the 5 *l.* which Mr. Kirwan was to pay you?—It did not.

1052. Do you recollect the person who actually paid you the money as personating agent?—I do.

1053. Who was it paid you; was there a person of the name of Mr. Burke?—Mr. Burke gave it to another attorney, and he handed it to me; Higgins drew a receipt, and I signed it; and I did not receive the 1 *l.* note till I signed it.

1054. Do you know whether Mr. Burke was acting as election agent for the expenses of Mr. Morris?—I do not know whether Mr. Burke was acting as that or not, but I knew that Higgins was.

Re-examined by Mr. Serjeant *Ballantine.*

1055. Who is Mr. Burke?—I believe he is an attorney; he was a very big man; I did not know who he was; I heard his name was Burke.

1056. Do you mean big in size, or only in importance?—He was very large in size; he was a giant; I know he was twice as bulky as Mr. Higgins.

1057. What was Mr. Burke doing?—He was sitting down, and he had a purse of money, which he was giving to those who were being employed.

1058. Employed by whom?—By Higgins; I know that I got 1 *l.*

1059. By the *Committee.*] Was any one present when you received that 3 *l.* and the 1 *l.* from Kirwan?

P. Needham. 7 May 1866.

Kirwan?—No, I got part of it before the election commenced, and I got part on the day of the hustings, and part of it the day after; and then I was acting as personating agent, as I told you before, from eight to five o'clock, and I could not leave the room I was in; and when I went out after five on Saturday evening, I sent to him, when I was told they were getting the money, and he told me to come on Monday.

1060. Was any one present when you received the money?—No one.

1061. You were alone?—I was alone.

1062. No one saw you get it on any occasion when you received the money?—No one, unless the boys that were behind the counter belonging to himself were there, and saw me; there was no one else.

1063. There was a boy behind the counter?—There was.

1064. What aged boy?—One was a large boy, and another a small boy.

1065. Then there were two boys?—Yes, belonging to himself; boys that slide down articles and slide them up again.

1066. Did they see you?—They did see me.

1067. They saw you get the money?—They did.

1068. Why did you tell me that no one saw you?—I did not say any such thing; I said that there was no freeman looking at me; there could be no other thing than the boys belonging to the shop.

1069. Were you in the shop each time you received the money?—I was in the shop each time.

1070. You got all the money in the shop?—All the money in the shop; the clothes that I got were stopped out of the money.

1071. Do you know the names of either of these boys?—I cannot tell you; I do not know the names, because I do not visit them very often; if I did I could tell you them.

1072. What age were those boys?—I could not tell you that either.

1073. About what age?—One of them was I believe about 20 years of age, and the other was less than that.

1074. Was he the eldest or the youngest?—He was.

1075. Which was he, the eldest?—I suppose the 20-year boy was older than 10 or 12-year boy.

1076. Have you had much business with Mr. Kirwan before?—No.

1077. Was that the first time you had pawned any clothes at Kirwan's?—No.

1078. It was not the first time?—No.

1079. Was this shop where you received the money an open shop where the public had access?—He had a shop where he sold clothes.

1080. Was it an open shop; was it a shop where the pawnbroker's business is ordinarily conducted?—Part of it was open and part of it was not.

1081. Where you received the money, was that open?—It was in the pawn office that I received it.

1082. Inside?—Yes; in the hand-me-down shop as they call it; I got the clothes in this shop, and I got the money in the other shop.

1083. Was that the inner shop or the outer shop?—There was only a door between them.

1084. There was a door between the shop in which you got the money and the shop in which you got the clothes?—Yes.

1085. Do the public go into the shop in which you got the money?—They go in to buy goods.

1086. Where you got the money?—Where I got the money; they go in to pawn where I got the money.

1087. It was in the shop open to the public in which the money was given to you?—It was.

[The Witness was directed to withdraw.

ANDREW COEN was called in; and, having been sworn, was Examined as follows, by Mr. Serjeant *Ballantine*:

A. Coen.

1088. YOU are a little deaf, are you not?—Yes, with the great cold that I have got.

1089. Can you hear me speak?—I can.

1090. What are you?—I am a carpenter by trade.

1091. Do you live at Galway?—I do.

1092. You are a freeholder, are you not?—Yes.

1093. Not a freeman but a freeholder?—Yes.

1094. Do you know a person named Hughes?—I do.

1095. Did he canvass you to vote for any one?—No, he did not.

1096. Recollect yourself?—I do recollect myself.

1097. He did not canvass you?—He spoke on the subject.

1098. Did Hughes promise you anything for your vote?—No; but he told me that I could get 5*l.*

1099. He did not promise you anything, but said that you could get 5*l.*—Yes.

1100. If you voted for whom?—I suppose for Mr. Morris and Sir Rowland Blennerhassett.

1101. You did vote for them?—I did.

1102. Did Hughes tell you to whom you were to go for that money?—I was told to go down to Brady's office, where he was giving out the money; whose money it was, I do not know; it was just in the rear of his own house.

1103. Did you get any money?—No, I did not, for I was tired and I went home.

1104. You have got a wife?—I have.

1105. Shortly after the election, did your wife bring you any money?—

[The Witness was directed to withdraw.

Mr. *Coffey* objected to the question as not relevant to the inquiry.

Mr. Serjeant *Ballantine* said that he would not argue the point, he would simply repeat the question.

The *Chairman* stated that the Committee were of opinion that the question was a proper question.

The Witness was again called in, and the examination proceeded as follows:

1106. Did your wife hand you 5*l.*?—She did.

1107. How soon after the election?—I believe two days after the election; no, it was the very same day; it was in the evening after the election; it was on a Saturday.

1108. I do

1108. I do not ask what your wife said about it to you, but after you had been handed over this 5 *l.*, did you see Kirwan?—No; Kirwan in two days afterwards came to my house.

1109. Two days after, you saw Mr. Kirwan?—He came to the house.

1110. He came two days afterwards?—Yes.

1111. What did he say to you?—

Mr. *Coffey* objected to the question.

Mr. Serjeant *Ballantine* said, he would substitute another question for it.

1112. Did he come to you in reference to this 5 *l.*?—He did.

Mr. *Coffey* again objected to the question and to the answer being received.

Mr. Serjeant *Ballantine* was heard against the objection.

Mr. *Coffey* was heard in reply.

The *Chairman* stated that the Committee were of opinion that the question might be put.

Mr. Serjeant *Ballantine.*] Did Kirwan come to you?—He did.

1113. What did he say to you?—He said there was a mistake in the number of the notes.

1114. What did he say was the mistake?—He wanted to see the number of the notes.

1115. Did he say what the mistake was?—I sent to my box and handed him three notes, and he rolled them up in his hand and put them in his pocket, and told me he was at the loss of 2 *l.* more.

1116. You had spent two of the notes?—My wife had laid them out.

1117. So you only had 3 *l.* left?—Yes.

1118. He took the notes to look at?—Yes.

1119. And then put them in his pocket?—Yes.

1120. What was the mistake, did he say?—He said that he was a loser by 2 *l.*

1121. Did he say anything about it?—He said no more about it, but walked out of the door.

1122. You were not quite satisfied with that, were you?—No.

1123. Did you summon him?—I did.

1124. You went before a magistrate?—I did.

1125. Did you get the money back?—From Fenton, I got the money back.

1126. You went before a magistrate?—I went along with Mr. Concannen.

1127. And you made a statement on oath?—I did.

1128. How soon afterwards did you get the 3 *l.* back?—I believe in about half an hour.

1129. After you laid the information, in half an hour you got the money back?—Yes.

1130. Did you get it back from him?—From Fenton, and Kirwan was alongside of him at the time.

1131. Who is Fenton?—He is a broken-down merchant, or something of that sort.

1132. He gave you the 3 *l.*?—He did.

1133. That is the way that you settled the thing?—I forgave him then, and he was obliged to hand over 2 *l.* to Mr. Concannen for his costs.

1134. By the *Committee.*] Did Kirwan give that to you or Fenton?—He did.

1135. Which of them?—Kirwan did out of his own pocket, and he was obliged to go down to his own house to bring up the 2 *l.* to Mr. Concannen.

1136. Mr. Serjeant *Ballantine.*] You have a wife?—I have indeed.

1137. Was she served with a Speaker's warrant in your presence?—I know nothing at all about it.

1138. She is not here, is she?—I do not know where she is; she is a delicate woman; I do not think she is here.

1139. I never will believe that an Irish gentleman does not know where his wife is; you say she is a delicate woman?—She is.

1140. Do you know that she has been desired to attend here?—No; I know nothing at all about it.

1141. You have not heard from her at all?—No.

1142. By the *Committee.*] Is she in Galway now?—I declare I cannot say, sir; I do not know but what the woman may be dying; she was very bed-sick when I left Galway.

1143. Was she in bed?—Yes, she was.

Mr. Serjeant *Ballantine* stated that he should call a person who would prove that the Speaker's warrant had been served on the Witness's wife.

1144. Now look at this card; was this the card you had (*handing same to Witness*); is that one of the cards that you had, or is it like one of the cards that you had?—It is the very card.

1145. You are called a freeholder?—Yes.

1146. Look at the back of it?—That was the mark that Hughes put upon it.

1147. When he gave this card?—Yes, for me to go round and get the 5 *l.*

1148. Where was Hughes when he gave you the card?—In his own shop.

1149. Just attend to this question: when Mr. Kirwan gave you the 3 *l.* he paid Mr. Concannen the 2 *l.*; did Mr. Kirwan make any remark about any money that he had lost?—No, not a word; I did not speak a word to him since.

1150. Did you hear him make any remark?—No, I did not have any conversation, nor have I seen him since the election.

1151. Do you know whether there was any difference about the freeman and the freeholder?—I do not.

1152. You think you were fairly entitled to the 5 *l.*?—Though I got 20 *l.* I would take it.

Cross-examined by Mr. *Blake.*

1153. You have known Mr. Morris a long time?—I have.

1154. I believe you knew his father?—I did.

1155. You have a son a clergyman?—I have, and another a monk.

1156. I believe that that clergyman and Mr. Morris are rather on intimate terms?—I believe they are.

1157. Do you recollect some time before the election, a little after the assizes, Mr. Morris canvassing at your house?—I do, to be sure; and if there was an election to-morrow I would vote for him.

1158. Did you promise him at that time when he canvassed you to vote for him?—I did, and told him he had no occasion to call upon me at all for my vote, for he had a right to know that would vote for him.

A. Coen.

7 May 1866.

1159. And I suppose that I may fairly understand that you intended to keep your promise with him at the election?—There is no mistake about it, and so I did.

Cross-examined by Mr. *Coffey.*

1160. I suppose there were cards for all the candidates, as well as for Mr. Morris and Sir Rowland Blennerhassett; was there not a similar card to that?—That is a thing I do not know; I suppose there must be some cards for Mr. Morris.

1161. Were there cards of the same description?—I saw no cards but that; I do not think Mr. Morris laid out a penny.

1162. Mr. *Blake.*] What did you say?—I do not think that Mr. Morris gave a penny to any voter.

1163. Mr. *Coffey.*] I ask you whether you do not know that cards of a similar description to that were used by all the candidates?—That is a thing I cannot state; this is the only one I got.

1164. You got that in the tally room?—Yes.

1165. That is the card that you handed to the deputy-sheriff to let him take your number?—I handed it to Mr. Concannen.

Re-examined by Mr. Serjeant *Ballantine.*

1166. What did you take the 5 *l.* for?—My wife got the 5 *l.* from Kirwan out of his office for my vote; here is the very card, and with that card she got it and handed it to me.

1167. You got the 5 *l.* from your wife?—I did.

1168. What did you take it for?—For my vote.

1169. For your vote for whom?—

Mr. *Blake* objected to the question.

Mr. Serjeant *Ballantine* said that he would leave it in the hands of the Committee.

1170. By the *Committee.*] Whom did you vote for?—For Mr. Morris and Sir Rowland Blennerhassett.

1171. You state that Mr. Hughes asked you to vote for Mr. Morris and Sir Rowland Blennerhassett?—No; I told him myself that I would.

1172. He canvassed you?—We spoke about it.

1173. He said you would get 5 *l.*?—He said that, and I told him that I would not go down; and he said, "Well, then, send your wife down, and you will get 5 *l.*"

1174. Who did he say you would get it for voting for?—He did not mention; but he told me to go down to Kirwan's office, and that it would be got.

1175. He told you to send your wife for it?—He told me, when I refused to go, to send my wife for it, and so I did, and the money was got; I did not like to go myself.

1176. This is the card that you received from Hughes?—No, not from Hughes; but I got it where they were voting.

1177. You did not receive this card from Hughes?—I got that after voting.

1178. After voting?—Yes.

1179. From whom?—Out of Sir Rowland Blennerhassett's office.

1180. Who gave it to you?—One of his clerks.

1181. You do not know who?—I do not know whom it was.

1182. You got that after you voted?—Certainly.

1183. For what purpose did you get that card?—Hughes told me to go down after voting, and that I would get the 5 *l.*; I told him that I would not, and he said, "Send down your wife, and she will get it for you."

1184. What was your objection to applying for that card?—I was told to do so when they brought me in to vote; I knew nothing about it, and I called for that card, and they gave it to me.

1185. You received that card after you voted?—Yes.

1186. Why did you apply for that card?—I did not apply for it, but they gave it to me, and said I was entitled to it.

1187. What use did you make of it?—I made use of it; I showed it to Hughes.

1188. What did you understand it was for?—I understood right well that I would get the money upon it.

1189. Here is a card with "Sir Rowland Blennerhassett" upon it; was a card like that given to all the voters?—All that voted for him.

1190. Was a card like this given to all that voted for Mr. Morris?—I did not see any one of Mr. Morris's cards at all; I do not know what sort they were.

1191. Was a card like this given to all that voted for Mr. Lever?—I did not see one of Mr. Lever's cards either.

1192. Were cards like this given to those who voted for Mr. Stubber?—I did not see one of Mr. Stubber's cards either.

1193. Mr. Serjeant *Ballantine.*] I omitted to ask if this man's wife was examined in his presence?—No; but I was examined first, and she was examined afterwards by another magistrate.

1194. By the *Committee.*] Was your wife examined by the magistrate in your presence about the matter between you and Kirwan?—Not in my presence; Murden brought her down.

1195. Was she or not examined in your presence?—No, sir, she was not, but she was brought down immediately.

Mr. *Coffey.*] Will the Committee ask this man at what period he got the card which has been produced here, and at what time in the morning.

1196. By the *Committee.*] When did you vote?—I voted after 12 o'clock.

1197. When did you receive that card?—After voting.

1198. Immediately after voting?—I received it immediately after voting; it was handed to me.

Mr. Serjeant *Ballantine* handed a document to the Committee, and asked them to ascertain from the witness, whether it was in his wife's handwriting.

1199. By the *Committee.*] Is that signature of Elizabeth Coen (*handing a document to the Witness*) in your wife's handwriting?—I am not acquainted with her writing; it is a long time ago since I saw her write anything.

1200. Mr. Serjeant *Ballantine.*] If you do not know her handwriting, I will not ask you about

about it?—I do not know it; I know nothing about it.

1201. By the *Committee.*] When your wife left, did you give your wife that card?—I did, and on that card she got the money.

1202. When that card was given to you, did you ask any one why it was given to you?—No, I did not, but I was told to go down to Brady's office, and that I would get it.

1203. You were told that without asking?—I was.

1204. Who told you that?—Concannon himself.

1205. Which Concannon?—Patrick Concannon.

1206. Patrick Concannon told you that if you took that card——?—He brought me down part of the way to Brady's office, and I told him I was ashamed to go into it, and I walked away, I did not go in there, there was such a deal of people.

1207. You sent your wife instead?—I was told to send her.

1208. There is some writing on the back of this card, "John B. H."; was that on it when the card was given to you?—No; Hughes put that upon it; that was the mark to get the money.

1209. When did he put it on?—On Saturday night.

1210. Did you see him put it on?—The very same day I did.

1211. You saw him put it on?—I did; there is no mistake at all about it.

1212. There is another mark on it in pencil, which I cannot read?—I know nothing at all about that; I put no mark at all upon it. *A. Coen.* 7 May 1866.

1213. I draw your attention to that mark, and I ask you to explain it; do you know the history of it?—I do not think there was any mark upon it but the one; Mr. Concannon might put a mark upon it.

1214. Tell the Committee if you can explain that mark upon the card?—No.

Mr. Serjeant *Ballantine* said he thought he could explain the mark; if it was E.C. it represented Edward Concannon, and had been initialed by his client.

An Honourable Member said that it looked like No. 1, but it was not E.C.

Mr. Serjeant *Ballantine* having looked at the card, said he could not explain what the mark was.

1215. By the *Committee.*] Can you afford an explanation of that pencil mark?—No, sir, I cannot.

1216. Was it on when the card was given to you?—No, it was not.

[The Witness was directed to withdraw.

Mr. Edmund John Concannon was called in; and, having been sworn, was Examined by Mr. *Inderwick*, as follows:

1217. What are you?—I am an apprentice to my father.

1218. At Galway?—Yes.

1219. What is your father?—He is an attorney.

1220. Do you know Mrs. Coen, the wife of the last witness?—I do.

1221. Did you serve her with a Speaker's warrant?—I did.

1222. When?—On the 27th of April.

1223. Did you give her any money?—I served her with another notice on the 4th of May.

1224. Did you give her any money?—I did.

1225. How much?—Three guineas.

1226. That was on the 4th of May?—Yes.

1227. Did you serve her with a notice to attend here?—I did.

1228. Is she here?—I do not know.

1229. Mr. Serjeant *Ballantine.*] Have you seen her here?—No.

1230. Mr. *Inderwick.*] Have you looked for her?—No, I have not.

Mr. Serjeant *Ballantine* stated that he wished to take the opinion of the Committee as to whether he might ask the witness whether, when he served the notice upon Mrs. Coen, she made any statement to him at the time of the service; because, what she said upon that occasion, if anything, might be matter upon which the Committee might think it fit to report. *Mr. E. J. Concannon.*

Mr. *Coffey* was heard against the question being put.

Mr. Serjeant *Ballantine* was heard in support of the question.

The *Chairman* stated that the Committee were of opinion that it was not a proper question to be put.

Michael Qualter was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

1231. Do you live in Galway?—I do.

1232. Are you a tailor?—I am.

1233. Are you a freeman?—I am.

1234. You have got a vote?—I have.

1235. Do you know a gentleman of the name of Pearce?—I do.

1236. Who is he?—I know him.

1237. What is he?—He is a publican.

1238. By the *Committee.*] Is it John Pearce?—John Pearce.

1239. Mr. Serjeant *Ballantine.*] Do you recollect meeting Mr. Pearce on the morning of the election?—I do. *M. Qualter.*

1240. Did he ask you who you were going to vote for?—He did.

1241. What did you say?—I told him that I did not know for a short time; it was early in the morning.

1242. That was on the morning of the election?—Yes.

1243. What did he say?—He told me that if I would

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I would vote for Mr. Morris and Sir Rowland Blennerhassett, he would give me 5 *l.*

1244. Did you go with him to Pearce's public-house?—I did.

1245. Did you get anything to drink?—Yes, one glass of brandy.

1246. Who gave it to you?—John Pearce.

1247. Had you seen Pearce canvassing?—Yes.

1248. For Mr. Morris and Sir Rowland Blennerhassett?—No.

1249. For whom?—I think he was canvassing for Mr. Morris.

1250. Mr. *Rodwell.*] You think?—Well, he was canvassing for Mr. Morris.

1251. Mr. Serjeant *Ballantine.*] Who did he canvass you for?—For Mr. Morris and Sir Rowland Blennerhassett.

1252. You saw him canvassing others?—I did.

1253. Just attend to me for a moment, you say he promised you 5 *l.*, if you voted for Mr. Morris and Sir Rowland Blennerhassett; did you?—I did not.

1254. You voted the other way?—I did.

1255. Did you take the money?—I did not.

1256. Who did you vote for?—I voted for Mr. Lever.

1257. You plumped for Lever?—I plumped for Lever.

1258. Was the money offered you afterwards, or anything said to you about the money?—Not a penny ever was offered to me at the time that I voted for Mr. Lever; not a penny.

1259. Do you know Mr. James Jennings?—I do.

1260. Did you see Pearce give James Jennings any money?—No, I did not.

1261. Did he offer to give him any money?—No.

1262. Are you quite sure?—I am quite sure.

1263. Did you see him offer any?—No; I see him offer no money to any man but myself.

1264. You did not see him?—No.

1265. Does Pearce keep a public-house?—Yes.

1266. Did you see many people at his public-house on the day of the election?—I saw them going in and out previous to the election.

1267. And on the day of the election you saw a good many people going in and out?—Before the election.

Cross-examined by Mr. *Rodwell.*

1268. You are a tailor you say?—Yes.

1269. Do you do any work?—I do whenever I can get it.

1270. You do not get much, do you?—Not as much as I did formerly.

1271. People do not employ you as much?—I am not able to work much.

1272. Have you been in trouble often?—Well, no; I thank my God that I was never in trouble yet; I never had a shilling wrongly; I always earned it.

1273. Were you never had up before the magistrate or at the sessions?—I was.

1274. That is not being in trouble?—No, not one bit; but that is all done away with, all these years.

1275. How many times have you been in trouble?—I could not say.

1276. How many?—I could not tell you.

1277. How many times?—I could not tell you, but it was not for any disgraceful crime when I was; it was only for taking a glass of whiskey, that is all.

1278. Will you contradict me when I say that you have been up before the magistrate twenty times in your life?—I will not contradict you.

1279. Will you say that it was thirty times?—I cannot say so often as thirty; it may be twenty.

1280. You have been constantly up before the magistrate?—Not for years.

1281. Not lately?—No.

1282. You voted for Mr. Lever, did you?—I did.

1283. You never got anything for your vote, I suppose?—No, I was never promised a halfpenny for my vote.

1284. Did you ever get anything for your vote?—Not from Mr. Lever; I never got a penny for my vote since I was born.

1285. Did you ever get paid for your vote?—Never since I first voted; I never was paid a penny.

1286. Did you get anything last Christmas-day?—I got 2 *l.* for a Christmas-box.

1287. Do you usually get 2 *l.* on Christmas-day?—No, not on Christmas-day; it was three days previous.

1288 It was a Christmas-box?—So the man told me that gave it to me.

1289. Did you believe him?—I did.

1290. Did you ask any questions?—No, no questions at all.

1291. Did you receive a 2 *l.* Christmas-box the year before?—No, never.

1292. Was this the first Christmas-box you ever received?—It was.

1293. Who gave you that Christmas-box?—Father Peter Daly.

1294. Were you not surprised?—No, not one bit.

1295. Then you expected it?—No, I never did; I swear, on my solemn oath, I never expected it.

1296. Do you know what it was given to you for?—No.

1297. Do you know why it was given to you?—I cannot say; I asked no questions.

1298. I did not ask you that; upon your oath, do you not know why you had that 2 *l.*; just tell that gentleman in the chair; out with it?—Upon my oath, I do not know; on my oath, I never expected one halfpenny.

1299. Do you mean to say that you do not know what you had that 2 *l.* for; do you mean to swear that?—(*No answer.*)

1300. You do not know what that 2 *l.* was given you for, or why you had that Christmas-box?—Of course I cannot say what it was for.

1301. You can say, and you shall say; who was it; turn round and give the Committee an answer?—He never gave me a Christmas-box before.

1302. Why did he do so this time; you know why it was, so out with it; you know why you had that 2 *l.* as well as I do?—I can partly guess it.

1303. I will not have any guess; I will have certainty; state distinctly why it was?—How can I answer that question?

1304. Was it not for your vote?—He did not tell me it was; how can I answer you such a question?

1305. Attend to me; do you mean to swear that

that you do not know why that 2 *l.* was given to you?—I did not ask him.

1306. I will have an answer; do you mean to swear that you do not know why that 2 *l.* was given to you?—I could not answer that question.

1307. You cannot answer it?—No.

1308. That you mean to abide by; did any other person receive a Christmas-box at the same time?—There was.

1309. How many?—I cannot say.

1310. Were there 100?—No.

1311. Were there 50?—No.

1312. Were there 30?—Upon my word, I cannot say.

1313. You cannot tell?—No, I cannot tell how many.

1314. Were there 30 or 40?—I cannot say.

1315. Were there about 30 or 40?—I will not be able to swear that.

1316. Where did you receive it?—In his own parlour.

1317. In whose parlour?—Father Peter Daly's parlour.

1318. How came you to go there; who sent you?—I was sent for.

1319. How came you to go there?—He sent for me himself.

1320. Did you know that you were going to have the 2 *l.*?—I was told it.

1321. By the person who came from him?—Yes.

1322. What did he tell you?—That Father Daly wanted me.

1323. What for?—I did not know what he was going to give me.

1324. Did you not know?—On my oath I did not know what money he was going to give me.

1325. Did you not know that 2 *l.* was given you for your vote?—How could I swear that? might he not have sent for me, and given me 10 *l.*, and have not given it to me for my vote?

1326. Do you think it likely?—For that reason I will not swear why he gave it to me.

1327. Or why the other 30 people had it; you say you can partly guess; now give us your guess?—That I never will swear to; I never will swear the reason why he sent for me, or what he gave me the money for.

1328. What is your guess?—You want an answer from me now; have I not given it to you very fairly; did I not answer your question now that you put to me.

1329. Look that way, and speak to the Committee?—I will look any way you like.

1330. Now give me your guess, I like guesses?—I am not going by guess work at all.

1331. I am; you said you could partly guess; what could you partly guess?—I will not swear.

1331. What did you guess?—What is the use of a guess.

1333. You said just now you could partly guess; what did you guess; come, out with it; it must come sooner or later?—The Christmas times were very bad in Galway, and there was no trade, and I will tell you what it is to my mind entirely; he gave money, and he gave beef, and he gave coals, and he gave flour, to the poor of Galway, what no man ever did that came to this house; and he might as well have given me, when he saw me in a delicate state of health, and knowing me all my lifetime, and that trade was bad, he might as well have given me 2 *l.* as anything else.

1334. Do you want the Committee to believe that he gave you that 2 *l.* for charity; now answer my question?—Of course, I cannot say whether they believe it or not.

1335. Do you wish them to believe it?—Well, I would.

1336. And the 30 others all for charity?—Yes, he gave coals, and he gave meat, and he gave money, always for charity.

1337. When you said just now that you could partly guess, was that guess that it was given to you for your vote?—No.

1338. What was your guess, then; you said just now you could partly guess; what did you mean by that answer when you said you could partly guess?—Well, I could not say.

1339. You must have meant something; now, I ask you what you meant; I will guess it for you; did you not mean that you could guess it was for your vote?—Well, you know, I will not swear to it.

1340. Did you not mean that you could guess it was for your vote?—I could not say whether it was or not.

1341. Did you believe it was?—Well——

1342. Now, sir, it will come at last; let us have your answer at once?—I will say that I believe it was, and that is not swearing; I will not swear it was.

1343. Who canvassed you to vote for Lever; did Father Peter Daly?—Yes.

1344. You see I know something about it; that was the same gentleman that gave you the 2 *l.*; of course, nothing was said about the 2 *l.* when he canvassed you?—Oh, not a word.

1345. Not a word when he canvassed you?—Not a word.

1346. Now, having reminded you that Father Peter Daly canvassed you, cannot you make your belief a certainty; do you not know that 2 *l.* was given to you for your vote; you have given me your belief already, you know?—He never promised me a halfpenny.

1347. Do you not know that that 2 *l.* was given to you for your vote?—No; I will not swear it.

1348. Will you swear it was not?—No.

1349. Did not Mr. Morris canvass you to vote?—He did.

1350. When?—When did Mr. Morris come to me to canvass?

1351. Yes; when did he canvass you for your vote?—It was a couple of months before the election.

1352. Did you promise him?—I did.

1353. Why did you break your promise?—Why did he break his promise?

1354. Did you break your promise?—Never, until he broke his promise.

1355. Did you promise him?—Yes.

1356. Did you vote for him?—No.

1357. Why?—He broke his promise; he said that he would work on his own account, and he told every man in Galway so; and when I saw on the morning of the election that he had joined another man, then I did not vote for him.

1358. But you had promised him?—Yes; but he broke his promise.

1359. You thought he did it first?—I thought he did it first.

1360. When did you make up your mind not to vote for Mr. Morris?—On the morning of the election.

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1361. Can you read?—I can.

1362. Did you see this placard posted on the walls of Galway, at the time of the election—(*showing the same to Witness*)?—I did, and I did not see it carried out.

1363. You say you saw that?—Yes.

1364. Do you know how many ahead Mr. Morris was of any one else at the election?—I heard he was a great many.

1365. You promised him, you say; was he alone when he canvassed you?—He was.

1366. When did you first tell this story about Pearce coming to you from anybody?—What story?

1367. About Pearce coming to you to ask you for your vote, and offering you the 5 *l.*; when did you tell that to any one?—Five or six days after the election.

1368. Who was it you told it to?—A man who was going to carry on his business.

Cross-examined by Mr. *Coffey*.

1369. When this man spoke to you first, had you made up your mind how to vote?—What man?

1370. Did you not say a short time ago that when Pearce canvassed you first and spoke to you, you told him that you had not made up your mind how to vote, but that you would wait for a little while?—I did.

1371. Was that true?—That is very true.

1372. Had you not made up your mind to vote for Lever?—Not at that minute.

1373. When did you make up your mind to vote for Lever?—Half an hour or an hour afterwards.

1374. When did Father Peter first canvass you to vote for Mr. Lever?—Something more than a fortnight previous.

1375. Did you promise him you would vote for Lever then?—I did not see him; I was out; I was not at my place.

1376. When did you see Father Peter before the election first?—I did not see Father Peter; I had no conversation with him for a long time before the election.

1377. When did you see him last before you voted?—I could not say exactly.

1378. Did you see him that day?—No, nor a day previous to the election.

1379. Do you know Father Peter was making speeches in favour of Mr. Lever?—I do.

1380. Did you hear them?—I heard his speeches.

1381. Did you attend a meeting of Mr. Lever's friends yourself at the hotel?—Oh yes, one night.

1382. Did you see Father Peter there?—I saw him in the street.

1383. Did you see him at the hotel?—No.

1384. Did you see him walking about canvassing with Mr. Lever?—I did not.

1385. Was it in the parlour that you were paid this 2 *l.*?—Yes.

1386. Who was present when you were paid it?—I don't think there was one man present.

1387. What was the man's name?—I don't think there was one.

1388. Were you the first man that went in?—I cannot say.

1389. How many were waiting outside?—I could not say.

1390. About how many?—I could not say.

1391. Tell me within 20?—No, there were not 20.

1392. Were there about 10?—Ten very poor men like myself.

1393. Were they not voters?—They were.

1394. And when you came out of the parlour another went in?—I walked straight out of the parlour to the hall door, and I walked away, and I don't know who were there.

1395. Was there a list of names in the room when you were paid—on your oath?—He had a paper in his hand.

1396. Did you see any printed list there?—No.

1397. It was all written?—I saw no printed list.

1398. Was it all written?—It was all written.

1399. The names were written?—I did not see one man's name, on my oath; he had a great many papers on his table.

1400. What money did you get for coming over here?—I got 2 *l.* and 6 *d.*

1401. And how much since?—Five shillings each day.

1402. When you went to vote, had you a card to present at the tally room or polling booth?—I had.

1403. A printed card?—Yes.

1404. Have you the card in your pocket, which you used?—No.

1405. Was it like that one with Mr. Lever's name upon it?—Yes, I think it was.

Mr. Serjeant *Ballantine* expressed a hope that the Committee would receive this evidence in relation to the character of the witness only, and not in relation to any specific facts with reference to Mr. Lever.

1406. Mr. *Coffey*.] All the voters that went up to vote for Sir Rowland Blennerhassett, for Mr. Lever, and for Mr. Stubber, had cards, had they not, like that one before you, to present to the agents and deputies?—I suppose so.

1407. Do you not know that they had; did you not see them with your eyes open?—I saw a man who had cards.

1408. For each voter?—Yes.

1409. Who was it proposed Mr. Lever as a candidate; were you not in the court-house on the day Mr. Lever was proposed?—No, I was not in the court-house; I did not feel well that day.

Re-examined by Mr. Serjeant *Ballantine*.

1410. What were the little offences that you committed, to which my friend has referred, were they all drink?—Yes; I never had a halfpenny out of the way.

1411. All drink?—All drink, and not like a good many men; there never was a man more honest; I never saved 6 *d.* out of an election, and I never saved 6 *d.* any way wrongly, since I was born, but what I earned honestly.

1412. I am so glad to hear what you tell me?—I humbly beg your pardon, if I am wrong.

1413. It was only for getting drunk?—That is all.

1414. How long is it since you were up before the magistrate?—I was not before the magistrate for the last couple of years, or three years.

1415. It may be three years?—I think it is three years; I never wronged any man yet out of a halfpenny.

1416. Except

1416. Except yourself?—I earned the money honestly by work, and not in the manner that brief has been got up by the man that you will find outside drunk in the hall.

1417. By the *Committee.*] What day was it that Pearce said you would get 5 *l.* for voting for Mr. Morris and Sir Rowland Blennerhassett?—On the 15th of July.

1418. That was on the polling day?—It was on Saturday, the 15th of July.

[The Witness was directed to withdraw.

Mr. *Montague Chambers* here begged leave to interpose for the purpose of making an application with regard to his witnesses, for whom he desired protection; he stated that he had been informed that one or two of the witnesses who had been examined on Saturday last, had, upon leaving the Committee room, and going into an adjacent room, where Mr. Kirwan was, been immediately attacked by Mr. Kirwan, with most violent and improper language, he declaring that they were perjurers; they had been intimidated, probably with a view of inducing them not to come again as witnesses, when they would be wanted on Mr. Stubber's petition; he was also informed, that unless the Committee intervened in some way to keep the peace, it was highly probable that if Mr. Kirwan continued his unlawful and improper conduct, an application to a magistrate would be necessary; if the Committee could suggest any mode by which this course of proceeding might be stopped, it would probably conduce to the interests of justice; there were two witnesses who could give evidence of what had occurred on Saturday night, and probably the Committee would think it right to have Mr. Kirwan called before them, and to caution him with reference to his conduct in future.

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Mr. Flan Keary, was called in; and, having been sworn, was Examined by Mr. *Montague Chambers,* as follows:

1419. You were examined here on Saturday as a witness?—I was.

1420. After you had been examined, did you leave the Committee room?—I did.

1421. Did you go into a room where Mr. Kirwan was, or did you see Mr. Kirwan when you had left the Committee room?—After the Committee adjourned, I was going down in the lower hall of the House, and I was walking with Mr. Madden and young Mr. Stubber, and Kirwan rushed over to us in a violent way, and called Madden a perjurer.

1422. Go on and tell us what occurred?—I said it was very improper to call a respectable man that name; I said he was an impertinent fellow to call a respectable man, and a man well known in the town of Galway, such a name as that; and I said that Mr. Madden was not an adventurer and the son of a bellman, as he was, which is well known in Galway.

1423. What happened then?—He continued his violence, and Mr. Morris came up at the time and said, "Boys, be quiet," and I remarked to Mr. Morris, that Kirwan had acted highly improper to call Mr. Madden a perjurer.

Mr. *F. Keary.*

1424. You have made use of the expression, "he continued his violence," what did you mean by that, was it violent language or action, or what?—Yes.

1425. What was it?—He made use of insolent language, still repeating the word "perjurer."

Mr. *Montague Chambers* directed the attention of the Committee to a Sessional Order of the House with reference to the subject.

The *Witness.*] I also stated, that I would mention the circumstance to the Committee; Mr. Stubber was present, and can tell you so.

1426. Is Mr. Madden outside?—He was outside about an hour ago; I saw him about an hour ago.

[The Witness was directed to withdraw.

Thomas Madden, was then called in; and, having been sworn, was Examined by Mr. *Montague Chambers,* as follows:

1427. You were examined as a witness on Saturday?—Yes.

The *Chairman* informed Mr. Montague Chambers, that the Committee only permitted this examination to proceed on the assumption that he, Mr. Montague Chambers, was going to call these witnesses upon the petition in which he appeared.

Mr. *Montague Chambers* said, that he intended to call these persons as witnesses.

1428. After the Committee had adjourned, did you see Mr. Kirwan?—Yes; he came up to me and called me a perjurer.

1429. What did you say to him?—Not a word, I just laughed; but Mr. Keary came over and contradicted him; I just walked on, I did not like to speak at all.

T. Madden.

1430. After that, did he repeat it?—Mr. Morris was passingby at the time, and beckoned.

1431. Mr. Morris interposed very properly, I presume?—Yes, sir, he did, I never spoke at all, I never answered the man.

1432. How long did this go on?—Not a minute, I walked on and I did not answer him at all, I only just walked on.

1433. By the *Committee.*] Have you been summoned as a witness on the petition of Mr. Stubber?—Yes, sir.

1434. Do you consider that what Mr. Kirwan said or did to you had reference to the evidence that you were about to give in the case of Mr. Stubber?—Surely, sir, it had reference to my evidence.

MR. KIRWAN was then called in.

Mr. *Kirwan.*

7 May 1866.

1435. The *Chairman.*] ARE you Mr. Kirwan?—(Mr. *Kirwan.*) Yes.

1436. The *Chairman.*] Evidence has been given before this Committee, proving that you have used strong language to a witness who was called before this Committee on Saturday last, and who is to be called as a witness on behalf of the other petitioner?—(Mr. *Kirwan.*) What are the names?

1437. The *Chairman.*] Madden?—(Mr. *Kirwan.*) If I am wrong, I regret it very much.

1438. The *Chairman.*] I wish to inform you, that what you have done constitutes a very grave offence, and that it is contrary to an order of the House of Commons?--(Mr. *Kirwan.*) I was not aware of it.

1439. The *Chairman.*] And I wish to caution you, and others also, against the commission of a similar offence.

[Mr. *Kirwan* was directed to withdraw.

The *Chairman* (addressing Mr. *Montague Chambers*) stated with reference to an application made this morning, that it would be convenient if it were possible, that the two petitions could be taken together.

Mr. *Montague Chambers* stated, that if he had been present at the time alluded to, he should have advised his client to acquiesce in a course of proceedings so advisable, because many of the witnesses that had been called before the Committee would also have to be called upon the petition upon which he appeared; he would, between this and to-morrow morning confer with his client, and he would probably be able to make an arrangement with a view to the course suggested by the Chairman.

Mr. Serjeant *Ballantine* said, that although he could not consent to wait until the recriminatory case of Mr. Stubber had been gone into, he would suggest that his learned friend (Mr. *Montague Chambers*) might be allowed to use all the evidence that had been given, without repeating it, so far as it was applicable to his case.

Mr. *Montague Chambers* said, that there were certain points with respect to which it would be applicable, and if the Committee would allow him to do so, he would make use of the evidence which had been given, simply asking such further questions as might be necessary.

[Adjourned to To-morrow at 11 o'clock.]

Tuesday, 8th May 1866.

HENRY HUSSEY VIVIAN, Esq., in the Chair.

Mr. Michael Duggan, was called in; and, having been sworn, was examined by Mr. *Inderwick*, as follows:

Mr. *M. Duggan.*

8 May 1866.

1440. Are you a Shoemaker at Galway?—I am.

1441. Were you canvassed by Mr. Morris?—I was.

1442. Was any one with him when he canvassed you?—There was.

1443. Who?—A man of the name of John Pearce, a grocer.

1444. What is Pearce?—He keeps a grocery.

1445. Is he a grocer and a publican?—Yes.

1446. Did you promise to vote for Mr. Morris when you were canvassed then?—No, I refused him.

1447. When you were canvassed by Mr. Morris and Pearce together, did you promise to vote for Mr. Morris?—No; I did not promise to vote for Mr. Morris; I was inclined to vote for Mr. Lever.

1448. Did you see Pearce again afterwards?—I did.

1449. Did he say anything to you about your vote?—I heard in the streets that there was a shoemaker's meeting up stairs at Pearce's.

1450. In consequence of what you heard in the street did you see Pearce?—I followed into Pearce's house, and I went up stairs where the shoemakers had a meeting; I suppose there were about 18 or 20 of them.

1451. Was Pearce there?—He followed me up stairs, and when he went up he told the shoemakers that I was after refusing Mr. Morris a few days ago in his presence; and when he told them they cried out, "Turn him out," to me, and I said there was no necessity for turning me out, for I would go out myself; so I went out and Pearce followed me down stairs, and he said he would take my name down, and see me right for 5 *l.*, so that I would vote for Mr. Morris and Sir Rowland Blennerhassett.

1452. Did you vote for Mr. Morris and Sir Rowland Blennerhassett?—I did.

1453. After you voted did you get a card?—I did.

1454. From whom?—From a man of the name of John Oliver, that keeps a bakery and a millery.

1455. By the *Committee.*] Did you get a card from Oliver?—Yes.

1456. Mr. *Inderwick.*] Was there anything written on the back of the card when you got it; have you got the card?—No.

1457. You have not got the card?—No; Pearce has it.

1458. Who did you give it to?—I gave it to John Pearce; he has it in his possession.

1459. After you voted for Sir Rowland Blennerhassett and Mr. Morris, and got this card, did you go to John Pearce and ask him for the 5 *l.*?—I went to him with the card, and I saw that he was in too great a hurry; and so I deferred it until the Monday.

1460. By the *Committee.*] You deferred giving him the card?—No; I deferred getting the money.

1461. You left the card with him?—Yes, expecting that he would pay me the money.

1462. Mr. *Inderwick.*] Did you go on Monday again to get the money?—I did.

1463. Did you ask him for it?—I did; and he said he was not prepared to pay me the money, but he gave me some drink.

1464. Now, did you go there another time to try and get the money?—I did, on several occasions.

1465. Did he give you any money at all at any time?—He gave me half-a-crown in silver.

1466. Was that at any of the times that you went to ask him for the 5 *l.*?—I was passing, and I asked him for some money; he said he had none to give me: I told him that I wanted to take a walk, and if he would give me a few shillings I should be well pleased; he put his hand in his pocket and took out his pocket-book, and gave me half-a-crown; and he said that would do for the day.

1467. Did he ever give you the 5 *l.* at all?—No, never.

1468. Did he give you any reason for not giving you the 5 *l.*?—He did; he told me as soon as he got 84 *l.* from James Blake Concannen he would pay me; he pulled out a bill out of his pocket-book and shewed it to me; it was for 84 *l.* that he had to get from James Blake Concannen.

1469. Did Pearce say anything to you about having money to pay away?—He did; I was on one occasion along with two men that he was going to pay, and I thought he would pay myself at the same time.

Mr. *O'Malley* objected to the question.

The *Chairman* stated, that the Committee were of opinion that the question was a fair one.

Mr. *M. Duggan.*

8 May 1866.

Cross-examined by Mr. *Rodwell.*

1470. Now, Mr. Duggan, you have stated that you saw Mr. Morris canvassing with John Pearce?—I did, sir.

1471. They canvassed you together?—They did.

1472. You are quite sure of that?—I am sure; it was in a house called Pat Smith's.

1473. He canvassed you, did he?—He did, sir.

1474. When was that, if you please?—I think it was on the ——, I do not know whether it was the 11th or the 12th of the month.

1475. I want you to be very particular about this?—It was about three days or four days before the polling.

1476. In whose shop?—In the house of a man of the name of Pat Smith; he keeps a public-house.

1477. Did they both speak to you?—Yes, sir; Pearce came to the door; "There is Mr. Duggan, sir," he says; I was just standing inside the door, and then Mr. Morris addressed me as Mr. Duggan, saying that they expected I would vote for him.

1478. I want to ask you, is that what you call Mr. Pearce canvassing with Mr. Morris?—He was in company with him.

1479. Did they come together?—They did.

1480. Did Pearce speak to you in Mr. Morris's presence?—No, sir, but he told Mr. Morris that I was Duggan.

1481. Did Pearce ask you for your vote for Mr. Morris?—He did not.

1482. Did Pearce say anything more than this, "There is Duggan in there"?—That is what he said.

1483. And that is what you mean by Pearce canvassing with Mr. Morris?—Yes, sir.

1484. Well, now, what answer did you give to Mr. Morris?—I told him I would not vote for him.

1485. Did you tell him why?—No, sir, he did not ask me.

1486. And he passed on?—Yes.

1487. Was that the only occasion on which answer you made you spoke to Mr. Morris about voting?—That was all.

1488. What time of the day was that?—It was about 12 o'clock, I think.

1489. Can you name any person who was present when Mr. Morris came in with Pearce?—The woman of the shop, Mrs. Smith, and her daughter, was present.

1490. Now, did Mr. Morris ask you for your vote in Pearce's presence, or was Pearce outside the door?—He was along with him at the time.

1491. At the time he spoke to you?—Yes.

1492. Standing close to you?—Yes.

1493. At the time he spoke to you?—Yes, sir, standing by.

1494. And that man was John Pearce?—Yes, sir.

1495. Very good; I want to have this distinctly; you knew John Pearce before?—I knew him many years.

1496. And you know Mr. Morris?—I do, sir.

1497. And you have given me a correct account as far as your memory goes?—As far as my belief; I am quite certain.

1498. Are you quite positive about this?—I am quite certain.

1499. I do not want to have your belief?—I am quite certain that what I am stating is correct.

1500. You are quite certain that is correct?—It is true.

1501. Did anybody else canvass you that day besides Mr. Morris?—No, sir.

1502. Were you canvassed any time during the election besides that?—Never, sir.

1503. Not for Mr. Lever?—No.

1504. Nor for Sir Rowland Blennerhassett?—No; on one occasion Mr. Reddington spoke to me about Sir Rowland Blennerhassett.

1505. Who was with him at that time?—James Blake Concannen and his brother, Sam Reddington.

1506. Now, when did you first tell anybody that you saw Mr. Pearce with Mr. Morris canvassing you three or four days before the election?—Oh, it was a good while after the election, when I was inquiring how could I recover the money from him.

1507. From whom?—From Pearce.

1508. Oh, when you were seeing how you could recover the money from Pearce, then you mentioned that you had seen Pearce and Mr. Morris together; is that it?—Yes, sir, I told them that they canvassed me.

1509. That was some months after, was it not?—And I thought it was on that account of refusing Mr. Morris that Pearce kept the money from me.

1510. That was the reason?—Yes, sir, I always thought so.

1511. And did that make you recollect that Pearce and Morris were together?—It did.

1512. How many months after was that?—About a month.

1513. Who was it that you told you had been canvassed by Pearce and Mr. Morris together?—I told a man of the name of Pat Graney.

1514. Who is he?—He keeps a leather shop.

1515. What did you tell him for?—I told him about Pearce giving me the card, and that he would not pay me.

1516. When did you tell anyone that you had seen Pearce and Mr. Morris together?—I think it was about a month before I made it known to anyone.

1517. What was it made you recollect so well that Pearce and Mr. Morris were together?—Because he kept the money from me, and I was uneasy about it.

1518. You thought, then, that having been with Mr. Morris at the time, he would be more likely to pay you?—That is the truth.

1519. You did not take any particular notice of it at the time?—I did; I was not inclined to vote for him; I was inclined to vote for Mr. Lever.

1520. You did vote for Mr. Morris and Sir Rowland Blennerhassett?—I did.

1521. Where have you been staying lately, since you came to England?—I do not know the name of the street.

1522. Have you been paid any money?—I was paid for my support; I got 10*s.* from Mr. Stubber.

1523. Is that all that you have received?—He gave me half-a-crown the first night I came and 10*s.* last night, to pay my expenses.

1524. You have had your expenses paid?—Yes.

1525. You were very angry with Pearce for not paying you this money?—Well, I calculate I was;

I was; I was so angry with him at one time that he was jumping over the counter to beat me in consequence of it.

Re-examined by Mr. Serjeant *Ballantine*.

1526. In consequence of what?—For teasing him for the money; he was jumping over, and there were two or three men in the shop kept him back.

1527. How much have you got altogether from Pearce?—Half-a-crown, and his wife gave me once, when I made a demand for the card back, 11*s.* 4*d.* between drink and the half-crown.

1528. How much was it altogether?—Eleven shillings and four pence, between half-a-crown and the drink.

1529. Was that half-crown in cash, and 11*s.* 4*d.* worth of drink?—No, it was half-a-crown in cash, and 7*s.* 1*d.* worth of drink, which made 11*s.* 4*d.*; between the drink and the half-crown it was 11*s.* 4*d.*

1530. Can there be any mistake about your having seen Mr. Morris and Pearce together on this occasion?—No.

1531. Are you certain or not about it?—I am quite certain and sure.

1532. Had you ever seen them together before?—Never.

1533. Mr. *Rodwell.*] Or after?—Nor after; I will tell you the truth; I was employed in the Custom House, and I was not taken up by the election at all; I have been a supernumerary there for 19 years.

1534. By the *Committee.*] Did Mr. Morris and Sir Rowland Blennerhassett canvass together, or separately?—There was no one along with Mr. Morris but Pearce when I saw them.

Mr. *M. Duggan.* 8 May 1866.

1535. What was on the card?—I declare I could not tell you, I never looked at it, but I put it in my pocket until I brought it to Pearce's shop.

1536. Was there nothing printed on it?—Oh, there was.

1537. Do you not know what there was?—I'm blest if I do; I was in a hurry, I thought I would get the money for it.

1538. Where is the card?—Pearce has it.

1539. What made you think that you would get the money if you gave him the card?—Pearce told me if I voted for Mr. Morris and for Sir Rowland Blennerhassett, that he would pay me; then he put my name down, and I brought him the card on those occasions.

1540. Where did he put your name down?—In a tablet-book he had.

1541. Did any one ask you to vote for Sir Rowland Blennerhassett?—No.

1542. I thought you said Mr. Reddington asked you?—Mr. Reddington was speaking about it, but he never asked me.

1543. Pearce followed you out of the shoemakers' room, did he not?—That was in his own house, up stairs.

1544. When he did follow you out of the room, and said he would give you 5*l.*, who did he say you were to vote for?—He followed me up, and it was after I came down from the room that he spoke to me, and he said that I was to vote for Mr. Morris and Sir Rowland Blennerhassett.

[The Witness was directed to withdraw.

Edward Murdon, was called in; and, having been sworn, was Examined by Mr. *Inderwick*, as follows:

1545. Now, Murdon, what are you; do you live at Galway?—Yes, sir.

1546. What are you?—A Freeman.

1547. What are you by occupation?—A Shoemaker.

The *Chairman* asked whether the name of this witness was in the list?

Mr. *Inderwick* replied in the negative, and said that this witness was called to prove agency.

1548. Were you about Galway at the time of the election?—Yes.

1549. While the canvassing was going on?—Yes.

1550. Did you see Sir Rowland Blennerhassett canvassing?—I did.

1551. Did you see any one canvassing with him?—I did.

1552. Who?—Mr. Kirwan.

1553. Is that John Kirwan?—Yes.

1554. Pawnbroker?—Yes.

1555. Now, did you see Kirwan and Sir Rowland Blennerhassett canvassing the voters in company?—Yes.

1556. Did you hear what was said by any of them?—No, I did not.

1557. Now, did you see Mr. Morris in his canvass?—No, sir, I did not.

1558. Do you know a man of the name of Curran?—Who, sir?

1559. Curran?—I do, Michael Curran.

1560. Yes, Michael Curran?—I do.

E. Murdon.

1561. Is he a bootmaker?—He keeps a bootmaker's shop; a bootmaker.

1562. Did you see him canvassing?—No, but I saw him very active delivering up voters to the poll.

1563. And did you hear how they voted?—I did.

1564. For whom?—Mr. Morris and Sir Rowland Blennerhassett.

1565. How many voters do you think you saw him bring up?—Well, really I could scarcely tell, but he brought up, I suppose, over 20 voters; he was a very active man.

1566. Is he in a large way of business?—No, he is not very large.

1567. Is it a small shop that he has?—Well, it is a small shop, it is not very large, I consider it a small shop.

1568. Now, did you ever see him in his shop during the time of the canvass, in company with any voters?—No, not during the time of the voting, because I could not attend to it, but after the voting I did.

1569. Now, who did you see in his shop?—I saw voters in the shop.

1570. Can you give us the names of some of them?—I saw Conray.

1571. Do you know a man of the name of Geoghehan?—No, I do not know him.

1572. Do you know a man of the name of Fallan?—Fallan?

E. Murdon.
8 May 1866.

1573. Yes?—He gave no work to Fallan, he told me that he gave work to Geoghehan.

1574. Did you see him giving any boots?—I did, to Thomas Conray and Pat Flaherty.

1575. Can you mention any other names?—I do not know their names, I know some masons out in the west.

1576. By the *Committee.*] Are you speaking now of Michael Curran?—Yes.

1577. Mr. *Inderwick.*] You mentioned two persons, Conray and Faherty as persons to whom he gave the boots?—Yes.

1578. Do you know any other persons?—I know the parties well; I do not exactly know their names.

1579. You did not see him give any to John Fallan?—No.

1580. Did you see him give any to Tim Toole?—That was merely for drink.

1581. How much did you see him give to Tim Toole?—Five shillings for drink in a public-house, namely, Pat Smith's.

1582. Did you see him give anything to Frank King?—Frank Kinney; yes, sir, 5 *s.*

1583. By the *Committee.*] What is his Christian name?—Francis Kinney.

1584. Mr. *Inderwick.*] Do you know anyone of the name of Frank King?—No; there is no such man as a freeman.

The *Chairman* called the attention of the learned Counsel to the fact that there was no name of Kinney in the list that had been handed in to the Committee.

Mr. *Inderwick* said it must have been a mistake in the spelling of the name, and that the name entered as King in the list must have been intended for Kinney.

1585. Mr. *Inderwick.*] It was Kinney to whom the 5 *s.* was given?—Yes, it must be Kinney; his boots were in pawn, and he pawned them through drink, and Curran said he would release the boots, and stop it out again; he happened to come into Mr. Curran, and the man had no boots on his feet, and Mr. Curran released the boots for him, and said he would stop that money when he would be paying him; they expected to get 2 *l.* or 3 *l.* a-piece, and he said that he would stop this money from them.

1586. Mr. *Rodwell.*] Who said this?—Curran.

1587. By the *Committee.*] Do you mean that he advanced him 5 *s.* on the boots, and said he would stop the money out of the money that he would pay him?—He released the boots for him.

1588. Mr. *Inderwick.*] Were the boots pawned for 5 *s.*?—They were.

1589. Frank Kinney pawned his boots with Curran for 5 *s.*, and then did Curran release the boots without taking the money, but say that he would stop it when paid subsequently by Mr. Morris?—Exactly.

1590. You have said in the early part of your examination, that you did not see Curran give any work to John Fallan; did you see him give anything to John Fallan?—No, sir.

1591. Do you know a man of the name of Harrison?—I do.

1592. What is he?—A shop-keeper in the town.

1593. What shop does he keep?—He keeps a tailoring establishment up in the square.

1594. Did you see Mr. Morris in Harrison's shop at any time during the canvass?—Oh, of course I did; he was in the shop, Mr. Morris was.

1595. Often?—Often, sir, of course.

1596. By the *Committee.*] Did you see Mr. Morris there?—At the time of the election?

1597. Yes?—I did, sir.

1598. Did you see what Mr. Morris was doing there?—No, I did not; I saw him across the square.

1599. Was Harrison in the shop at the time Mr. Morris was there?—I cannot tell that; he might be in it behind the counter.

1600. Did you ever see Sir Rowland Blennerhassett there?—No.

1601. Have you ever seen John Kirwan there?—I do not remember.

Cross-examined by Mr. *Rodwell.*

1602. Pray, what day was it you saw Morris in Harrison's shop?—Well, I could not tell you what day it was; it was before the election.

1603. How many days was it before the election; was it a fortnight before, or three weeks before?—No, it was a couple of days before the election.

1604. Pray, what was he doing in the shop?—I could not tell that; it was a distance away from me.

1605. Is Mr. Harrison the principal tailor and woollen-draper in the town of Galway?—He is.

1606. And are you prepared to say that Mr. Morris was not speaking to him at that time about his business as a tailor?—Very likely he might.

1607. Well, now, you voted for Lever did'nt you?—Yes.

1608. How much did you get for voting?—Nothing.

1609. Never a farthing?—No.

1610. Nor promised anything?—No.

1611. Who asked you to vote for Mr. Lever?—I went to vote for him myself.

1612. Who asked you?—Well, Mr. Lever sent for me, because I was at the election before that.

1613. You did not get a Christmas-box, did you?—No, sir, Mr. Lever never gave me one.

1614. Did you get a Christmas-box?—From Father Peter Daly.

1615. I never said Father Peter Daly?—Father Peter Daly sent for me.

1616. Did you get a Christmas-box from him?—I did.

1617. How much did you get from him?—Two pounds, sir; he sent for me.

1618. Were you at the election?—What election?

1619. At the election of Galway?—I was.

1620. Who proposed Mr. Lever; was it Father Peter?—Well, I cannot just remember.

1621. Now, have you been talking much about what you saw Mr. Morris doing, and what you saw this other man, Curran, doing; have you been talking about this much, have you been talking lately about what you saw Mr. Morris doing at the election at Galway?—No, I have not.

1622. How came you to tell anybody that you saw him in the tailor's shop; how came you to tell that?—Well, I was asked if I saw Mr. Morris in the shop.

1623. Who

1623. Who asked you?—I was asked by the solicitor.

1624. What is his name?—I do not know his name.

1625. When were you asked?—Since I came to London.

1626. Since you came to London?—Yes.

1627. You were asked whether you had seen Mr. Morris at Harrison's shop?—Yes.

1628. And you told them?—I did.

1629. And, did they ask you whether you had seen Curran give away the boots, and so on, or did you tell them yourself?—I told them myself.

1630. Did you tell them in Ireland or in London?—I told them in London.

1631. And, did you tell them nothing before you came to London?—No.

1632. Who brought you over here then; how came you to come over here if you had told them nothing?—Well, I have been interested for Mr. Lever, I wish to see him elected.

1633. You are interested for Mr. Lever?—I wish to see him elected.

1634. You have been helping to get up the petition in this matter, have you not; you have done the best you could for the petitioners?—Of course I have.

1635. Have you told them all you told us to-day; have you told us all; that is what I want to know; have you told all?—No, sir.

1636. There is more behind?—There is.

1637. Now, then, will you tell me whether Mr. Morris ever canvassed you; let us see if I can get it out?—Never.

1638. You have always voted against him?—Well, he never asked for it before.

1639. You have always voted for Mr. Lever?—I have. *E. Murdon.* 8 May 1866.

1640. Now, did you see Mr. Morris canvassing at all himself before the election?—No, I did not.

1641. Well, then, all that you seem to have seen him doing is being in the tailor's shop?—That is all, sir.

Cross-examined by Mr. *O'Malley.*

1642. Now you have told us that you saw Sir Rowland Blennerhassett and Mr. John Kirwan canvassing?—Yes.

1643. When was that?—I believe the second day after Sir Rowland Blennerhassett came to town; to the best of my belief it was the second day.

1644. Was that the time you saw them canvassing?—Yes, they were coming down the public streets, out of the meat market.

1645. Who did you see them canvass?—Well, I saw them stopping everyone.

1646. Who did you see them canvass?—I saw them stopping the freemen.

1647. Who did you see that you can swear you saw them canvassing?—They went into the shops.

1648. How many people were with Sir Rowland Blennerhassett at that time?—There was a great crowd with him; I have seen a great number of the gentlemen in the hall who were with him on that same day.

1649. He was going about then?—Yes, sir, on his canvass.

[The Witness was directed to withdraw.

Walter Christopher Mere Stainton, was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

1650. Do you live at Galway?—I did.

1651. Do not you now?—No.

1652. Were you an Upholsterer there at the late election?—Yes.

1653. Who did you vote for?—Mr. Lever.

1654. Now, do you know Mr. Kirwan?—Yes.

1655. And I suppose you know Mr. Morris very well?—I do.

1656. Now, had you seen them together at all before the election?—Not before the election.

The *Chairman* asked whether this witness was called to prove agency?

Mr. Serjeant *Ballantine* replied in the affirmative.

1657. When did you see them together?—I have never seen them together.

1658. Did you never see them together?—No.

1659. Wait a moment; you have given your evidence, I believe, only this morning, and it has been taken down from your own lips; you wrote down your evidence yourself?—Yes.

1660. Now, just attend to me; never mind Mr. Morris, or anyone else?

Mr. *Rodwell* protested against the insinuation conveyed by Mr. Serjeant Ballantine's question.

Mr. Serjeant *Ballantine* replied that the witness was constantly looking at Mr. Morris.

1661. Now, just attend to me, sir; you have written a statement down to-day?—Yes. *W. C. M. Stainton.*

1662. You have written it yourself, because we did not call you until you had written the statement; have you not seen Kirwan canvassing with Mr. Morris?—I have seen him canvassing for Mr. Morris, but not with Mr. Morris.

1663. Now, did you hear anything that Kirwan said to the voters?

Mr. *Rodwell* objected to the question on the ground that the learned serjeant must name the particular voters to whom he referred.

1664. Mr. Serjeant *Ballantine.*] Well, I will not ask you what you heard him say; did you see him speaking to voters?—I have seen him speaking to voters.

1665. Did you hear what he said to them?—I did not hear, but the voters told me afterwards.

1666. Now, do you know John Brady?—I do, well.

1667. Did you see him speak to John Rooney?—I did.

1668. Was that upon a Sunday?—On a Sunday.

1669. What Sunday was that?—The Sunday after the election; the election was on Saturday.

1670. Did you see where he went to; did he go anywhere with Brady?—Yes; Rooney was coming out of the Catholic chapel, and Brady

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called to him; Brady called Rooney into his own house; I saw Rooney immediately afterwards; I saw him going in, and after he went in I saw him come out.

1671. Did you see anything in his hand?—No.

1672. Do you remember the evening of the election?—I do.

1673. Did you see any person at John Brady's?—I did.

1674. Did you see anything that took place there; I do not ask you what was said, but did you see anything that took place there?—Yes; I went there to see Mr. Edward Stainton; I was told he was there.

1675. By the *Committee.*] Is Edward Stainton any connection of yours?—He is a first cousin of mine.

1676. Mr. Serjeant *Ballantine.*] Just simply answer the question; did you see what was going on with the voters at Brady's?—When I got to the door there was a man outside.

1677. Were they voters that you saw in at Brady's?—Yes; there was a man outside; there was a man outside the door who was a voter.

1678. You saw nothing that was going on inside?—No.

1679. You only saw these voters at Brady's door?—Yes; there were four or five of them inside.

1680. Mr. *Rodwell.*] Did you see them?—I did.

1681. Mr. Serjeant *Ballantine.*] Did you see any voters going up stairs?—The man outside told me——

1682. Do not tell us what anybody told you, but tell me what you saw; did you see any voters going up stairs?—I did not see them going up stairs.

1683. Did you see any voters there?—I saw four or five voters inside.

1684. Did you see any voters in Kirwan's?—I saw them there the night before the poll.

1685. Where did you see them?—At Kirwan's house.

1686. Where were they when you saw them?—In Brady's house.

1687. Did you see any at Kirwan's?—Yes, I saw them coming out of Kirwan's on the morning of the poll.

1688. Did you see them the night before at Kirwan's?—I saw them going in there, but not before.

1689. At what time?—I should say it would be 11 o'clock.

1690. Eleven o'clock at night?—Yes.

1691. Did you know them by sight?—I did.

1692. How many of them were there?—There were not many going in at a time; they were going in one or two at a time.

1693. How many went in altogether?—I only saw one or two going in at a time as I was passing by.

1694. Did you see any coming out the next morning?—Yes; I saw them coming from there to the poll.

1695. The same voters?—I could not swear that they were the same.

1696. Were they the same, or not?—There was one man I know.

1697. Was there one that you saw the evening before?—He was.

1698. You saw him coming out in the morning and going to the poll?—I saw him going to the poll.

Cross-examined by Mr. *Rodwell.*

1699. What was the name of the man you saw on the night before, and him you saw the next day going out to the poll?—Timothy Toole.

1700. I believe Mr. Morris canvassed you for your vote?—He did.

1701. When?—Long before the election.

1702. Was anyone with him?—No.

1703. Did you promise him?—I did not.

1704. What did you say to him; did you not promise him?—No.

1705. For whom did you vote?—Mr. Lever.

1706. Did you give Mr. Lever a plumper?—Yes.

1707. Did Mr. Lever canvass you?—Not before I promised him.

1708. Nor after you promised him, I suppose; you say that you did not promise Mr. Morris; you are distinct upon that?—I am.

1709. You distinctly recollect that?—I recollect that.

1710. Do you recollect seeing him at Edward Stainton's shop?—Yes.

1711. In March?—I cannot say.

1712. Long before the election, do you recollect his coming and asking Edward Stainton for his vote?—I do not, for Edward Stainton was not there.

1713. You were there?—I was there.

1714. Do you recollect his coming and enquiring for Edward Stainton?—I do.

1715. Did you offer yourself then to vote for Mr. Morris if you had a vote?—No.

1716. What did you say to him?—I said, "It all depends on your principles Mr. Morris; I would be happy to vote for you if you were of Conservative principles, otherwise I would not, and I do not know whether I am qualified for my vote yet or not"; these are the very words I said.

1717. At that time did you know that you had a vote?—I did not exactly, but Mr. Morris told me I had.

1718. Did you not say that you would vote for him?—I did not.

1719. Had you at that time made up your mind to vote for Mr. Lever?—No.

1720. Who canvassed you for Mr. Lever, and begged you to vote for him?—No one.

1721. Not anyone?—Not anyone.

1722. And Mr. Lever did not ask you, but you promised him?—I promised him I would vote for him, he being the only Conservative.

1723. Did Father Peter Daly ever ask you for your vote?—Never.

1724. You made a statement in writing, did you not, this morning?—Yes.

1725. My friend said, that they would not examine you until you made your statement in writing; have you been giving information to Mr. Lever's party?—What sort of information?

1726. About the election?—Well, yes; I have done that.

1727. Have you been paid for it?—No.

1728. You have been paid your expenses?—I never got a farthfng from any one.

1729. What brought you here?—I paid my own way.

1730. What for, why did you come over; had you a Speaker's warrant?—No.

1731. Explain

1731. Explain to the Committee what brought you here?—I was told in Galway, that I was going to be served with a Speaker's warrant.

1732. Who told you?—Mr. Concannen told me, and I gave my address, and I said I was on my way to England to see my family, and that I would go direct; I said that it would do as well to serve me here as there.

1733. You came over on speculation, as I understand you?—No.

1734. Have you not been working away in Galway, to get up this petition for Mr. Lever?—No.

1735. Have you taken no part in it?—I have taken a small share certainly, by the parties own consent.

1736. Have you not been about in communication with several of the witnesses that have been here in Galway?—Yes, one or two.

1737. Have you not with as many as 10 of them?—No.

1738. Who are the one or two that you have been in communication with?—Edward Morden and Mr. Dillon the watchmaker.

1739. Who else?—He himself desired me to send his evidence.

1740. You have been getting evidence up, have you?—Mr. Dillon asked me to send his evidence.

1741. Have you been taking evidence of the witnesses?—I have of two of them.

1742. Where?—At Galway.

1743. Who paid you for that?—No one.

1744. You do not expect to be paid?—No.

1745. Not for anything you have done during the election?—No.

1746. Not at all?—No; I shall expect to be paid my expenses.

1747. When did you draw up that writing which my friend has examined you from?—About an hour since, I should think.

1748. Why did you not write that out before; you have been asked, you know?—I did not know of any one.

1749. You have been asked?—I have not.

1750. Have you never been asked to give evidence here before this morning?—No.

1751. Who asked you this morning?—I came to give my evidence.

1752. You volunteered your evidence?—I did.

1753. You have not been asked either at Galway or here, by any one, to come as a witness?—Except that I was told that I was to have a Speaker's warrant.

1754. Let me understand you distinctly, you came here to volunteer your evidence, without being asked to give it; has no one asked you to give your evidence?—Not before to-day.

1755. Who asked you to give it to-day?—I was asked for it at Mr. Lever's room.

1756. Who asked you, do you know?—Mr. Lever told me to write down the statement I had to make.

1757. Mr. Lever told you to write down the statement; where was it he told you that?—In the Parliamentary Chambers.

1758. What brought you to these Parliamentary Chambers; how did you find your way there?—I went to see Mr. Lever purposely.

1759. Did you then tell Mr. Lever that you had got information which you could give?—(*No answer.*)

1760. Do answer my question, pray; what did you say to Mr. Lever when you were there; did he send for you?—No.

1761. You went there of your own accord?—Yes.

1762. Did you tell him that you had valuable information to give?—I told him the truth of what I had.

1763. What led you to go there to him; why did you go to him more than to Mr. Morris or to Sir Rowland Blennerhassett; what took you there?—Because I was on his side.

1764. Is that your only reason?—That is the only reason.

1765. From the love of justice?—Yes.

1766. Have you ever said anything about being paid at all?—No; I never have been paid.

1767. Have you never said so to any one; not to Mr. Lever?—No, not to any one.

1768. Have you not said a word about being paid to any one?—For what?

1769. For coming over and giving evidence?—No.

1770. Nor for anything?—No; I do not recollect saying a word to any one.

1771. Have you or not spoken to any one; I do not mean to Mr. Lever; but at this moment will you undertake to say, "I have not spoken to any one about being paid for to come over here to give evidence"?—No.

1772. To no human being?—No.

1773. Nor about payment?—No.

1774. Nothing of the sort?—No.

1775. Have you asked for money from any one?—I have not.

1776. Not to any one?—Not to any one.

1777. Have you been told what you would be paid?—I understood that parties would be paid for coming here.

1778. Who did you understand that from; who told you?—I have been told by those who got it.

1779. Who told you?—Dillon told me.

1780. What did he tell you?—He told me that he got his expenses for coming here.

1781. What for; did he tell you how much?—I think he said 3 *l.* 2 *s.* 6 *d.*, or three guineas.

1782. How much a day?—I do not know at all about that.

1783. Then the Committee are to understand that you went to Mr. Lever this morning as a volunteer, and that you offered information you have given to-day?—Yes, I did.

1784. You went that morning to see your cousin Stainton?—Which morning?

1785. The morning you saw these people or voters?—Not that morning, the night before.

1786. You went to see Stainton?—Yes.

1787. What about?—To get paid my wages.

1788. As what?—I was engaged by him.

1789. What as?—As an upholsterer and salesman.

1790. What time of the night was it that you went?—Before eight o'clock.

1791. You merely went there by accident?—Where?

1792. To Stainton's?—Oh, no.

1793. You went there to get money?—Yes.

1794. Not with any view to watch?—No, nothing whatever.

1795. What took you to Brady's at 11 o'clock?—I was told, at Stainton's house, that he was likely to be seen at Brady's.

1796. And you went there for him?—Yes.

1797. Do you mean to say that you never, till this

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this morning, stated what you saw at Stainton's or at Brady's?—I have.

1798. You have never put it in writing?—Yes, I have; I have not given it in writing to any person.

1799. You put it down in writing?—I did.

1800. When did you put it down?—That very evening.

1801. When you got home at night?—Yes, that night I did.

1802. Before you went to bed; do you mean to tell the Committee that, before you went to bed that night, you, having been at Brady's at 11 o'clock, put it down in writing?—I did not say that I was at Brady's at 11 o'clock.

1803. You said you were there about 11 o'clock?—No, that was at Kirwan's.

1804. That was the same night?—I am stating now, because you are asking me about Brady's.

1805. I want to ask whether what you have told us to-day, and what you are describing now as what you saw on the morning and night in question, whether you put that down in writing?—I put down in writing what I had seen at Brady's.

1806. Did you put it in writing that night before you went to bed?—I did.

1807. Why?—To jog my memory about it another time.

1808. Why did you put it down in writing?—To jog my memory about it; and because I thought it very strange that parties should be there to be paid for their votes so very publicly; that was my reason for doing it; I just merely took a note of it.

1809. Did you put down their names?—No I did not know what the names were.

1810. What did you put down; did you put down that you saw so and so going on?—Yes.

1811. You have not got the paper now?—No.

1812. Have you lost it lately; what has become of it?—I do not know.

1813. This was a valuable paper, that you took the trouble of writing out before you went to bed?—Oh, it was only a few words.

1814. You could not trust your memory?—Yes, I could.

1815. What became of that paper?—I cannot tell you.

1816. You have lost it?—I do not know what has become of it.

1817. What did you do with it afterwards?—I might have written other things on the back of it.

1818. What did you write it upon; was it in a book, or on a piece of paper?—I do believe that I wrote it that evening; now that I recollect, I remember that I wrote it that evening, and that the reason I wrote it that evening was to speak to Mr. Lever the next day about what I had seen.

1819. Have you told Mr. Lever what you had seen?—I did.

1820. Then Mr. Lever has all along known about this?—Since then, I believe, he has known it.

1821. You told Mr. Lever the very next day?—Yes.

1822. Did you give him the paper?—No; I did not even read it to him; I told him of it.

1823. You are perfectly distinct, now, that you did write it down that night?—I know I did.

1824. That you swear?—I swear that, positively.

1825. Was it on paper, or in a book?—It was in a pocket-book that I kept memoranda in.

1826. Was it last year's pocket-book?—Yes.

1827. What became of that pocket-book?—I do not know.

1828. Do you not keep your old pocket-books?—I tear the leaves out occasionally.

1829. Have you torn that leaf out?—I have.

1830. Why?—I tore it out with other leaves, because I considered it of no importance.

1831. Of no importance?—No, because I knew it well.

1832. You wish the Committee to believe that?—I do candidly believe I did.

1833. You are sure that you told Mr. Lever the next morning?—I am.

1834. Is the pocket-book in existence?—I do not know that it is; it might be among my other things.

1835. How are you getting your living now?—Always by my trade, and no other way.

1836. Do you carry on business now at Galway?—No.

1837. Are you a journeyman upholsterer?—I am.

1838. In constant work?—Mostly.

1839. Are you very well off?—I am not so well off.

1840. Who paid you the railway-fare coming to here?—I did.

1841. You provided the money?—No; I sold some work in Galway.

1842. What work in Galway?—Some work that I had made.

1843. On purpose to come over here?—No, I intended to come long before.

1844. You do not believe you are going back?—I do not believe I am.

1845. You came here to have your expenses paid and settle in England?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

1846. When did you come to London?—Yesterday.

1847. What time, do you recollect?—Shortly before six o'clock.

1848. In the evening?—Yes.

1849. When did you see Mr. Lever for the first time?—This morning.

1850. At what time?—About nine o'clock.

1851. Did he bring you to the solicitor's office, and did you there write out this statement?—Yes.

1852. By the *Committee.*] Did you make that memorandum in your pocket-book with the object of telling Mr. Lever of it?—No.

1853. What was it, then, that made you make the memorandum?—The object was that I should jog my memory with it the next day, to know that I was stating the facts.

1854. You say that it was not with the object of telling Mr. Lever?—It was with the object of telling Mr. Lever; not for the purpose of showing it to him.

1855. It was to refresh your memory with it to tell Mr. Lever?—Yes, the next day.

1856. Having told Mr. Lever, you thought it of no importance?—No, I did not think it would be of any importance; I never thought anything about it, or else I might have kept it.

1857. Your object was to tell Mr. Lever, and not to refresh your memory in giving evidence upon the petition?—Yes.

1858. Are

1858. Are you the Stainton that wrote out the paper that was signed by Dillon?—Yes, Dillon told it to me several times before I wrote it down; I asked him if I was to sign it.

1859. That is not the paper now referred to, is it?—No.

1860. Did you write this document (*producing the document which was referred to in Dillon's evidence*)?—Yes, I wrote that.

1861. Is that your signature?—Yes, that is my signature.

1862. Is that true?—It is true.

1863. Every word of it is true?—Every word of it.

1864. Will you read it out?—"I, the undersigned, was canvassed for my vote at the late election for Galway by Mr. John O. Lever. Promised him. I was afterwards canvassed by Mr. Morris and his agent or friend, J. Kirwan, who said he was particularly interested for Mr. Morris. I then asked J. Kirwan if his friend was giving any money, and he said yes. I then said I promised Mr. Lever, and would it do to split for Mr. Lever and Mr. Morris. J. Kirwan said no, but if I would vote for Mr. Morris and Sir Rowland Blennerhassett I would get 5*l.* in hand and 5*l.* another time. I voted accordingly, and got 5*l.* from J. Kirwan on the election day, and was seen paid by Thomas Madden, of Abbey-street." That was told to me by Dillon half-a-dozen times before I took it down, and, finding some evidence was wanted, I asked him if he had any objection to my signing it, and he said no.

1865. You did not know that of your own knowledge?—No; he said that it was a truth, and I wrote that, and read it over to him, and asked him whether everything in that was true, and he said yes; I said, You have no objection to sign it, and he said no.

1866. You know nothing more of it than that?—Nothing more than that.

1867. You only know that Dillon said it was true?—That is all.

Mr. Serjeant *Ballantine* said he had concluded the case of the Petitioner, Mr. Lever.

Mr. *Rodwell* was heard to contend that the Petitioners had made no case against Mr. Morris.

Mr. Serjeant *Ballantine* was heard to object to Mr. Rodwell being heard in support of such a contention, and contended that the Committee could not come to any decision upon such a question until they had heard him sum up the case.

The room was cleared.

After some time the Counsel and parties were called in, and informed by the Chairman that the Committee would prefer not to express any opinion at this stage of the proceedings.

Mr. *O'Malley* was then heard to contend that the Committee ought to proceed with Mr. Stubber's petition, before calling upon Sir Rowland Blennerhassett for any reply to the case which had been made by Mr. Lever.

The *Chairman* asked whether Mr. Stubber objected to his case being now heard.

Mr. *Montague Chambers* replied that he objected very much indeed, for reasons which he was quite prepared to give.

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Mr. *O'Malley* was heard further to contend that the Committee ought to hear the whole of the case made against the sitting Members, before either of them was called upon to reply.

Mr. *Montague Chambers* was heard against Mr. O'Malley's application.

Mr. *O'Malley* was heard in reply.

The *Chairman* stated that the Committee were of opinion that the case of Mr. Stubber should be proceeded with at once.

Mr. *Montague Chambers* said that he was requested by his client to inform the Committee that his client protested against the decision at which the Committee had just arrived, and intended to petition the House; his client contended that it was not in the power of the Committee to call upon him to proceed with his case at once; he, Mr. Montague Chambers, was obliged to present this view to the Committee, and he desired to do so most respectfully; he was requested to ask the Committee to defer the hearing of Mr. Stubber's case until to-morrow morning, on the ground that he was taken by surprise, in consequence of the sudden conclusion of the Petitioners' case, and the decision at which the Committee had arrived.

Mr. *Coffey* was heard against the application.

Mr. *Rodwell*, on behalf of Mr. Morris, also protested against any delay, beyond that which was absolutely necessary, being permitted in the hearing of the case against Mr. Morris.

Mr. *Montague Chambers* was heard in reply.

The *Chairman* said that the Committee were of opinion that the petition of Mr. Stubber should be at once proceeded with, and stated that the Committee wished to know whether it was Mr. Montague Chambers' intention to proceed with the case against Mr. Morris as well as against Sir Rowland Blennerhassett.

Mr. *Montague Chambers* replied that that was a question which he was for the moment unable to answer; it might happen that upon looking at the evidence to be given, and which had been given, he might come to the conclusion that it would be advisable in his client's interest to proceed only against Sir Rowland Blennerhassett, and not against Mr. Morris, but at that moment he could not give any definite answer upon the point.

The learned Counsel was then heard to open the case of Mr. Stubber against the return of the sitting Members; having done so, he handed in the bribery lists.

Mr. *Ribton* then applied to the Committee for an adjournment, upon the ground of surprise, stating that he had had no opportunity of consulting with Mr. Montague Chambers as to the order in which the proceedings should be conducted.

Mr. *Rodwell* protested against time being unnecessarily

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unnecessarily wasted, which he contended would be the result of granting Mr. Ribton's application.

Mr. *Ribton* was heard in reply.

The *Chairman* said that the Committee had decided that they would hear one witness; but before commencing the proceedings he called the attention of the learned Counsel to the fact that a treating list had been handed in to the Committee, and that there was no allegation of treating in the petition of Mr. Stubber.

Mr. *Montague Chambers* admitted that there was no allegation in the petition, and regretted that so improper a course had been pursued.

JOHN MOGAN, was called in; and, having been sworn, was Examined by Mr. *Ribton*, as follows:

J. Mogan.

1868. Do you live in Galway?—I do.

1869. You are not an elector, I believe?—No.

Mr. *Montague Chambers* asked the Chairman to repeat the order he had already given, that all witnesses should keep out of the committee-room.

The *Chairman* reminded the learned Counsel that the Committee had yesterday intimated that if any witnesses to be called upon the second petition should be in the room, they would be disqualified.

Mr. *Coffey* said that the learned Counsel (Mr Waters) of the Irish Bar, who had been acting with him in this case, had to-day received a Chairman's order to attend as a witness charged with bribery; he therefore asked that Mr. Waters might be excepted from the interdiction that the Chairman had pronounced.

Mr. *Montague Chambers* said he should not object to his friend's application, which was accordingly granted.

1870. Mr. *Ribton* (*to the Witness*).—Did you know a person of the name of Cottingham?—Yes.

1871. By the *Committee*.] What is his Christian name?—Martin Cottingham.

1872. Mr. *Ribton*.] Do you remember the morning of the polling day?—I recollect the morning of the poll.

1873. Do you know Mr. Brady?—I do.

1874. What is his Christian name?—John, I should think.

1875. Were you at his house on that morning?—Well, I was in a room there; it was the committee-room, I believe.

1876. What is Brady?—An architect.

1877. Were you in a room in his house?—Yes.

1878. In what room?—It was a committee-room, I believe, belonging to Sir Rowland Blennerhassett.

1879. How many persons were in the room?—A great many.

1880. Whose committee-room was it?—Sir Rowland Blennerhassett's, I should think.

1881. Was there anyone else there?—I am not aware of anybody else.

1882. Did you know whether it was Mr. Morris's committee-room?—I am not aware whether it was or not.

1883. Tell me the names of those you recollect?—There were a good many voters there.

1884. Do you recollect the names of any of them?—I do; there were Pat Hughes, Michael Hughes, and Martin Cottingham, and besides, others that I do not recollect; I do not recollect who there were there, there were so many.

1885. Did any money pass?—Not there.

1886. What was done there?—They got cards to go to the poll.

1887. Who got cards?—Everybody who was going to the poll for that purpose, I suppose.

1888. Did you get a card?—No, I was not a voter.

1889. Did you see a card given to Cottingham?—I saw a card with him, not given to him.

1890. What card was it, do you know?—I think it was a card of Sir Rowland Blennerhassett's.

1891. Mr. *Coffey*.] He thinks it was?—I am sure it was.

1892. Mr. *Ribton*.] Did you see cards given to any of the Hughes'?—I did not see them giving the cards.

1893. Where was it, if at any place, that you saw any money pass?—I saw Cottingham, after coming out of the place, had got the money before ever he voted.

1894. What money had he?—He had a 5 *l.* note.

1895. Did you see it in his hand?—I did.

1896. Did you say anything to him about it?

Mr. *Coffey* objected to the question.

Mr. *Ribton* said he would ask a few more questions, to show that the question could be asked.

1897. Mr. *Ribton*.] The question is, if he said anything with reference to the note; how far had he got from the house, before he showed it to you?—Something about 40 yards.

1898. Did you see him come out of the house?—I did not see him come out of the house, but he told me where he got it.

1899. You saw him in the house?—Yes, before that.

1900. How long after you saw him in the house, did you see him out of the house with the 5 *l.* note in his hand?—Less than half-an-hour.

1901. Was any other person with him?—Not at the time I met him secondly.

1902. Just answer yes or no to this question: did you and he have any conversation about the note?—Yes.

1903. You had?—Yes.

Mr. *Ribton* was heard against Mr. Coffey's objection, and contended that the question objected to could be put, submitting that any statement that was made by a person bribed, or alleged to be bribed, when he came from the house in which there could be

be no doubt he had been bribed, was admissible in evidence.

Mr. *Coffey* was heard in reply.

The *Chairman* stated that the Committee were of opinion that the question was one that could not be put.

1904. Mr. *Ribton.*] You saw the 5 *l.* in his hand?—Yes.

1905. How far was he at the time from the polling place?—He was quite convenient to the polling place.

1906. Where did he go to after he had shown you the note?—He went to the poll.

1907. Did you see him vote?—No.

1908. Do you know who he voted for?—Yes.

1909. Did you hear him vote?—No.

1910. Did you see any money in the hands of anybody else that morning?—No.

1911. You spoke of John Hughes; you saw the Hughes' at this house of Brady's?—Yes. *J. Mogan.* 8 May 1866.

1912. Is it John Boucher Hughes?—No; I saw Pat Hughes and Michael Hughes.

1913. Do you know John Boucher Hughes?—I know J. B. Hughes.

1914. What is he?—A grocer.

1915. Did you see many people go into his house?—Yes.

1916. Is he a publican?—Yes.

1917. On the morning of the poll, or before it, did you see them go into his house?—Before that.

1918. What did you see going on there?—I saw people drinking.

Mr. *Rodwell* said that he should not cross-examine this witness.

[The Witness was directed to withdraw.

Mr. James Power Keane, was called in; and, having been sworn, was Examined by Mr. *Ribton,* as follows:

1919. Are you a Pawnbroker and a Tea and Provision Merchant in Galway?—No. Mr. *J. P. Keane.*

1920. What are you?—I was.

1921. Were you at the time of the election?—I was.

1922. You recollect the time of the election?—I do.

1923. A few days before the election, did you meet Mr. John Oliver?—I did.

1924. Did you see him talking to anybody?—I did.

1925. To whom was he talking?—He was talking to a man in the street.

1926. Do you know the name of the man?—I did; but I do not now.

1927. What was it?—I do not know, just now.

1928. Have you forgotten it?—I have.

1929. What was he?—I do not know his trade either.

1930. Did Mr. Oliver say anything to you about it?—

Mr. *Rodwell* objected to the question.

1931. Mr. *Ribton.*] What is Mr. Oliver?—He is a miller, and keeps a bakery establishment in Galway.

1932. Was he taking a part in the election?—Yes.

1933. What part was he taking?—He seemed to be doing all he possibly could for Sir Rowland Blennerhassett.

1934. Where did you see him making those efforts?—About 10 yards from my own door.

1935. Have you seen him on more than one occasion?—Yes, repeatedly.

1936. Do you know Sir Rowland Blennerhassett's committee-room?—I know his committee-room.

1937. Have you seen Oliver there?—No.

1938. How do you know he was doing all he could for Sir Rowland Blennerhassett?—I knew it through his clerk, and from his men.

1939. Did you ever see him canvassing?—Not myself, personally.

1940. What is the name of his clerk?—John Griffin.

1941. Was that the only way that you knew that, from his clerk and his men?—Well, being his son-in-law, and going in and out through the mill.

1942. Are you his son-in-law?—Yes; I knew, of course, the sentiments that pervaded the men in the mill.

1943. But, as regards Mr. Oliver himself?—Oh, of course, they were sure to be the same as he was.

1944. Will you just explain to the Committee: you said that he was doing all that he could for Sir Rowland Blennerhassett; will you explain any of the acts you saw him doing which led you to form that conclusion; tell us anything that you saw him do?—We used to be talking in the office, the clerk, him, and I, and the conversation used to turn upon how Mr. Lever humbugged the people of Galway, and that Sir Rowland Blennerhassett, being a man of some little weight in the country; we really did not know what weight he had, for I did not even know his name previous to the election, nor do I believe did Mr. Oliver himself; but these matters, of course, all convinced me that it was for Sir Rowland Blennerhassett that he was working and using his influence.

1945. Did you ever see him talking to Sir Rowland Blennerhassett?—Never.

1946. Do you know a person of the name of Andrew Halloran?—I do.

1947. Was he a voter?—He was.

1948. Do you recollect giving any money to Halloran yourself?—I do.

1949. How much?—£5.

1950. When?—A couple of days before the election.

1951. Did you hear him vote?—No.

1952. From whom did you receive that 5 *l.*?—From no one.

Mr. *Coffey* stated that he had been informed that the name of Andrew Halloran was not in the list.

1953. Mr. *Ribton.*] Are you talking of Mr. James Halloran or Mr. Andrew Halloran?—Andrew Halloran, he is a baker.

Mr. *Ribton* applied to the Committee for leave to amend the list. Having been called upon

Mr. *J. P. Keane.*

8 May 1866.

upon so suddenly his clients had not had time to rectify the list, and he therefore wished to alter it by inserting the name of Andrew instead of James Halloran, which had been entered by mistake.

Mr. *Coffey* was heard against the application.

1954. Mr. *Ribton* (*to the Witness*). Do you know any one of the name of James Halloran?—No.

Mr. *Ribton* contended that it was an evident mistake in the Christian name, there being no voter of the name of James Halloran.

Mr. *Coffey* stated that he was instructed that there were several of the name of Halloran on the list.

1955. By the *Committee.*] Is there a man of the name of James Halloran?—Not to my knowledge, but there may be, there are so many Hallorans in Galway.

Mr. *Coffey* stated that he was instructed there was a James Halloran in the printed list of voters.

1956. Mr. *Ribton* (*to the Witness*). You only speak to having bribed one Halloran?

Mr. *Ribton* contended that it was a clear mistake.

The *Chairman* asked whether it was ascertained as a fact that there was a James Halloran on the list of voters.

Mr. *Rodwell* stated that he was instructed there was a James Halloran on the list as a registered voter, and was heard against the application to amend the list.

Mr. *Ribton* was heard in reply.

The *Chairman* stated that the Committee were of opinion that they could not amend the list.

Mr. *Montague Chambers* stated that some difficulty would arise from the decision of the Committee, which he felt it his duty to suggest to the Committee: they would have to report to the House whether bribery had prevailed, and, therefore, although attention had not been pointed to this particular voter, the Committee might, if they chose, inquire into the case generally with a view to their report.

1957. Mr. *Ribton.*] Do you know a person of the name of Peter Garighty?—There were two that I gave money to, one was a carpenter, and the other was a baker.

1958. Do you know a person of the name of John Garighty?—Yes, I know the two Garightys that I gave the money to.

1959. Did you give any money to John Garighty?—Yes, I think I gave him 4 *l.* 15 *s.*

1960. When?—On the same day.

1961. Two or three days after the election?—Yes.

1962. From whom did you receive that?—From the very same party; all the money I gave out after the two first 5 *l.* notes, which I gave myself on the order of Mr. Oliver, I got from John Griffin with a list; I got two separate lists from John Griffin, and he gave me a 5 *l.* note for each name in the list; all that I was to do was to hand them the 5 *l.* as they came to me.

1963. Now, did you give Peter Garighty any money?—Yes, I gave him 5 *l.*

1964. By the *Committee.*] What list did you have?—The list was brought to me from Oliver's office by John Griffin.

1965. With a 5 *l.* note for each name in the list?—Yes, for each name; there were 12 in the list, and when I had given that 12 a 5 *l.* note each, Griffin brought me another list; there was about 12 in each list.

1966. Then you gave twelve 5 *l.* notes for each list?—Yes.

1967. That would be 120 *l.*?—Yes.

1968. There were two lists brought to you?—Yes; when the first was exhausted and given out Griffin brought me a second.

1969. Mr. *Ribton.*] To the best of your belief you received 120 *l.* from Griffin?—About that; I will not state the exact sum.

1970. In notes, I suppose?—All in 5 *l.* Bank of Ireland notes, quite new.

1971. Do you know John Barratt?—I do.

1972. Is he one of the men to whom you gave the 5 *l.*?—The father and the son; Barratt and his son; they are both in the employment of Oliver; one is his foreman, and the other is a baker.

1973. Did you give each of them 5 *l.*?—I gave each of them 5 *l.*

1974. Are their names in the list?—I may beg to make this remark: when I say that I gave them 5 *l.*, I did not give them 5 *l.* in cash.

1975. What did you give them?—I was then in the flour trade myself; I said to them, "Now I have got nothing by this but just merely to give you the money, and I shall feel thankful if you will leave 5 *s.* out of each 5 *l.*, and I shall give you the full value of it in bread stuffs," and they all did this with the exception of Garighty himself, the baker, and he said he wanted to take a house, and he wanted the 5 *l.* entire.

1976. In point of fact, with that exception, it was 4 *l.* 15 *s.* that you gave each of them; they giving you 5 *s.*, for which you gave them bread?—Yes.

1977. Do you know a person of the name of Carpenter?—No.

1978. Do you know a person of the name of Jeffrey?—I know a man of the name of Jeffrey Murphy.

1979. Did you give him 5 *l.*?—I did not; I got 5 *l.* to give him, but I kept it myself for one of the 5 *l.* that I had given the parties on Mr. Oliver's order; I kept it to pay myself for the former orders that I had paid out of my own pocket.

1980. Then poor Murphy did not get any?—Oh, yes; he got it from Mr. Oliver, for he told me so.

1981. You kept it for the 5 *l.* that you had given to somebody that Oliver had desired you to give it to?—It was for the 5 *l.* that I had given to Halloran.

1982. Now, Benjamin Matthews, do you know him?—Yes.

1983. What did you give to him?—I gave him the same as the rest.

1984. Was he amongst the number?—Yes.

1985. By the *Committee.*] Did you give him 5 *l.*?—Yes.

1986. Mr. *Ribton.*] Now, can you tell me any of

of the other names that were on the two lists?—Really, I cannot.

1987. Can you recollect any more names?—No, not just now.

1988. Did you give away the whole of the 120 *l.*?—I gave it all away but 5 *l.*

1989. Except what you have told us, were they all voters?—They were.

1990. I suppose there is no doubt about that?—There is not the slightest doubt.

1991. Do you know a man of the name of Michael Carran?—Yes.

1992. Do you recollect giving anything to Michael Carran?—I recollect Michael Carran bringing me an order.

1993. For what?—For groceries, or bread stuffs.

1994. He presented you with a piece of paper, and did you give him something?—I did.

1995. What?—Groceries and bread stuff.

1996. To what amount?—I don't know the exact amount just now.

1997. About what amount?—£.5 or 10 *l.*

1998. What has become of the order?—I passed it to Mr. Oliver as cash.

1999. Did he give you cash for it?—No; he took it for cash in the place of flour.

2000. Now don't answer this question, because I am not quite sure whether it is a proper one; can you tell me who that order was signed by?

Mr. *Ribton* asked if there was any objection to the question.

Mr. *Coffey* replied in the affirmative.

2001. Mr. *Montague Chambers.*] Do you know what has become of the order, or is it torn up?—I don't know; it passed to Mr. Oliver; I never saw it since.

2002. Mr. *Ribton.*] Was it at your own house that you paid all these sums of money?—It was in my own drawing room.

2003. Has your house got peculiar facilities for anything of that kind; are there two doors of business to it?—There are.

2004. Leading into different streets?—Yes.

2005. You can come in at one door and go out at the other?—Yes.

2006. That is the way it was actually done?—Yes, that is the fact.

2007. Was that in accordance with your directions; did you desire them to do so?—I did.

2008. By the *Committee.*] Have you since settled accounts with Mr. Oliver?—In what shape?

2009. You had an account running with him, did you not; did Mr. Oliver admit his liability to pay this 5 *l.* or 10 *l.*?—I brought it down to the mill with the statement of my account, with some notes and gold, and I asked him, "Is it necessary for me to look after this; a note came from your own side, take it and see about it yourself"; he said, "All right, I will take it as cash; I will give you credit for the amount as cash."

2010. Was this before, or after the election?—It was after I had given up all the money, and I was settling my money.

2011. After the election?—It was two or three days after the election; the election was on a Saturday, and I think this was on a Tuesday or a Wednesday.

2012. Do you recollect whether these men when they came to you had any tickets or cards with them?—No; I got the list and the money together.

2013. You knew the men?—I did; I knew the greater number of them.

2014. You knew the right men to pay?—Oh, yes; I knew they were directed to come to me.

Mr. *Rodwell* stated that he should not cross-examine this witness.

[Adjourned to To-morrow, at 11 o'clock.

Wednesday, 9th May 1866.

HENRY HUSSEY VIVIAN, Esq., Chairman.

JAMES CAMPBELL was called in; and, having been sworn, was Examined by Mr. *Ribton*, as follows:

J. Campbell. 9 May 1866.

2015. WERE you at the last Galway election?—I was.

2016. Were you writing clerk and secretary to Mr. Stubber's committee?—I was.

2017. Now were you in the committee-room when Mr. Stubber's tickets were called for, by a number of voters?—I was.

2018. How many tickets were issued?—Oh, I could not state.

2019. About how many?—The number of cards appeared to be large, and they were all issued.

2020. But can you say whether there were two, three, or four hundred?—There were 300 at any rate.

2021. Did you see tickets given to the men that applied for them?—I did.

2022. Were they voters?—They were.

2023. They came there to the committee-room, and applied for the tickets?—They did.

2024. For Mr. Stubber's tickets?—Yes.

2025. And they were given?—They were.

2026. Did you yourself get any money to vote?—To vote, sir?

2027. Did you get any money?—No.

2028. Did anybody canvass you for your vote?—I was canvassed.

2029. By whom?—By Mr. Morris.

2030. Himself?—Himself.

2031. When?—Two months previous to the election.

2032. Did you see him immediately before the election?—Two months before the election.

2033. Did he canvass you after that?—No, sir; he had no occasion to come at all to canvass me.

2034. Did you promise him to vote?—Decidedly.

2035. Now, before the election, did anybody give you any money?—

2036. By the *Committee.*] Who did you vote for?—I voted for Sir Rowland Blennerhassett and Mr. Morris.

2037. Mr. *Ribton.*] Who did you say you voted for?—Sir Rowland Blennerhassett and Mr. Morris.

2038. Did you get any money after the election?—No.

2039. Were you promised any?—No, sir; I was not.

2040. After the election, did you go and apply to anybody for money?—I did.

2041. To whom?—To the man that took me to the poll.

2042. Well, who was he?—He was a Mr. Griffin; Pat Griffin.

2043. When did you first see him?—I saw him on the morning of the voting.

2044. Before you voted?—Yes.

2045. Well, did he say anything to you?—He did not.

2046. Did he canvass you?—No, sir, he did not; I took him, as I knew him to be a respectable person, and I said I would rather go with him than with a lot of persons.

2047. Then you went with him to the poll?—I did, and five other men went with me.

2048. And he heard you vote?—He did; he heard me.

2049. He knew how you voted?—He heard me voting.

2050. Well, now, did you apply to him afterwards?—I did.

2051. For money?—I applied to him to get me money.

2052. By the *Committee.*] Did Griffin make any statement to you which induced you to go with him to the poll?—He made no statement; I saw him standing in front of the Court House, and I wished to go with him, being a respectable party.

2053. Mr. *Ribton.*] Did you know for whom Griffin was canvassing?—I did not see him canvass at all.

2054. Do you know for whom he was interested?—I know he was interested for Sir Rowland Blennerhassett; I am quite certain of that.

2055. And you went with him to the poll?—I did, sir.

2056. Now then, did you receive any money from Griffin?—No.

2057. Where did you go to apply for it?—I went to Griffin himself.

2058. Did you go to him at his house?—I met him in the street.

2059. Did he take you anywhere?—No, he did not.

2060. When you voted did you get a card?—I had a card going to vote.

2061. You received a card going to vote?—I did.

2062. Who gave it you?—It was filled up for me at Sir Rowland Blennerhassett's committee-room.

2063. How

2063. How long before you voted?—About three minutes.

2064. It was filled up, you say; how was it filled up?—Off the registry; the number that I was on the register was placed on it.

2065. Was Griffin there at that time?—He was.

2066. Did he see you get the card?—He brought five cards over with him in his hand, one for each of them.

2067. He brought five cards?—There were five men of us together.

2068. He gave a card to each of you five?—Yes.

2069. Did the whole five go off with him, or he go with them to the poll?—Yes.

2070. When he gave you the cards, did he say nothing?—No, sir; we handed the cards to the agent at the booth.

2071. To whom did you hand them?—To the best of my knowledge it was Joseph Kelly and Dutton that I handed my card to.

2072. I propose to put this question; I do not know whether my friend will object to it, and therefore do not answer it until he has expressed an opinion upon it; I want to ask you whether you saw any money paid to the men that went up with you to the poll.

Mr. *Rodwell* objected to the question.

2073. Mr. *Ribton.*] Then I will ask this question: could you tell me the names of the four men who went up with you?—I do not think I could recollect them; there was a Pat Connell, jun.

Mr. *Ribton.*] That is in the list; it is at the bottom of the second page.

2074. Can you give me any other name?—John Campbell.

2075. Can you give me the name of another?—I cannot recollect the others; those are two of the men, and myself; I can only think of three out of the five.

2076. You are quite sure of them?—I am.

2077. By the *Committee.*] There were four with you?—Yes, four and myself.

2078. Mr. *Ribton.*] Did you see John Campbell receive any money?—No, I saw none of them receive any money.

2079. Did they go anywhere after the election?—I saw them speak to Griffin; I had no card coming out of the booth room.

2080. Had they?—They did; they brought their cards away with them; and when I found that, I returned for mine, and it was torn up by the agent; he said, "The card is torn up, and it is thrown down there," and he showed me where it was thrown.

2081. They had their cards?—They had.

2082. Did you see them come out with their cards?—I saw them come out; I did not know whether they had the cards or not; because if I had thought that they had, I would have brought my card too.

2083. Where did they go with Griffin?—He brought them to no place; he went to get more voters.

2084. Did you see them at any time afterwards receive the money?—I did not see them receive the money.

2085. Do you know whether your brother, John Campbell, is here or not?—He is not here.

2086. Do you know Brady's house?—I do.

2087. On the morning of the election, do you recollect seeing any voters?—I do. *J. Campbell.* 9 May 1866.

2088. And people going to Brady's house?—Yes.

2089. A number of them?—A number.

Mr. *Rodwell* stated that he should not cross-examine this Witness.

Cross-examined by Mr. *Coffey.*

2090. You say you saw a man of the name of Griffin in the tally-room, as I understand it, where the voters were collected before they went to vote?—No; it was outside in the street that I saw Mr. Griffin.

2091. Not in the tally-room?—Not in the tally-room.

2092. Then he got cards filled up, and the register number of each voter taken from the register?—Yes.

2093. Was that done with all the electors that were brought up?—To the best of my opinion, it was.

2094. And was that done for all the candidates; for Mr. Lever as well as the others?—Certainly.

Mr. *Rodwell.*] Will you put your question as to Mr. Morris also.

2095. Mr. *Coffey.*] There was no combination or amalgamation that I am instructed; who was Griffin; was Griffin employed in the committee-room?—No, not in the tally-room; he seemed to be acting as an out agent; he was acting outside.

2096. At all events, he brought you and four others with cards in your hands to vote?—He did.

2097. Then he went back to collect more voters?—Yes.

2098. Am I right in saying that he was occupied in getting voters from the tally-rooms across to the place where they voted during the day, as far as you perceived?—He was as long as he thought well of it.

2099. Now tell me, you said, as I understand you, that you were a clerk of Mr. Stubber's?—I was.

2100. Were you a clerk during the election there?—No.

2101. Are you his permanent clerk?—No.

2102. Then, when did you commence to be employed by him?—About 12 days previous to the election.

2103. And have you continued in his employment ever since?—Oh, no; it was for making out street lists and preparing for the election.

2104. Now tell me, how many voters do you know voted for Mr. Stubber?—I am not quite certain.

2105. Now tell me, are you perfectly serious in telling the Committee that 400 men applied to get cards to go and vote for Mr. Stubber?

The *Chairman* said he understood the Witness to have said 300.

Witness.] I tell you distinctly, there was 300 cards taken from the committee-room with their names and numbers on the register placed on the card.

2106. Now, I believe they are fond of jokes in

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in Galway, are they not?—There are jokers in every part.

2107. Was not that a joke, for 300 to get cards, and only 22 go up to vote?—They saw that Mr. Stubber was very charitable to the poor, and I believe that throughout they took the cards to poll for him.

2108. Oh, Mr. Stubber was very charitable to the poor?—He was, sir; to the poor fishermen especially.

2109. Now, how did he show his charity; did he give them anything for drink?—No.

2110. Did he give them anything to eat?—No, he released some of their nets out of the pawn-office, to enable them to go fish.

2111. How many days before the election did he do that?—Oh, he has done it more than once, sir, in Galway.

2112. But how many days previous to the election did he release these nets?—It was a good many days, sir.

2113. Did you go to the pawnbroker's with him?—No; I had no hand at all in that matter.

2114. Then how do you know that he released these nets?—Because the fishermen deal with me.

2115. Now, how much money did he spend in releasing the fishermen's nets?—I do not think he spent a great deal of money.

2116. About how much?—It might amount to 20 *l.* or 30 *l.*, perhaps.

2117. Did he buy ropes for them?—No.

2118. He did not buy anything of that sort?—No.

2119. Did he get any meal for them?—Well, I could not say, for I had to attend to my own business.

2120. By the *Committee.*] What is your business?—Rope manufacturer, sir.

Re-examined by Mr. *Ribton.*

2121. How long was it before the election that he released their nets?—Oh, it was a long time.

2122. He is a charitable man in the neighbourhood, is he not?—Not a doubt that he is, sir.

2123. Now you were asked whether you considered this a joke or not; did you consider it a joke their coming to ask for 300 cards?—It did not appear to me to be like a joke.

2124. In your opinion, was it a joke or was it reality?—It appeared to me to be reality.

2125. Did you hear them state who they would vote for?—Oh, yes, certainly; they stated at the time, "Give me the card, and I will vote for Mr. Stubber in the morning."

2126. Are you able to form any opinion as to why they did not vote?—No, I cannot.

2127. By the *Committee.*] Did you get paid by Mr. Stubber when you were his clerk?—I did, sir; I got paid for the days that I was writing for him.

2128. How much were you paid;—I got 2 *l.* for the 12 days.

2129. Is that all?—£. 3 for the 12 days.

2130. Anything else?—No, sir.

2131. You were not paid in food?—Well, I was not; but I expected more.

2132. That card which you received, you said that the clerk tore it up?—The agent at the booth tore up the card.

2133. He tore up the card?—He tore the card when I did not put my hand on it after voting; at least, so he said when I returned to get the card.

2134. Was it usual to give back the card?—Yes.

2135. Then, after you got the card back, was it usual to take it and apply for money on it?—I did not get it at all.

2136. Is it usual to take it and apply for money for it?—They would get no money without having that card.

2137. Why did you go back to fetch your card?—I asked the other men that were in front of me after voting with me.

2138. You went back to fetch your card, and found it was torn up?—I asked the other men whether they had the cards, or whether Mr. Griffin had them, and they said that they each had their own card; so I ran back for mine; and when I applied for it, Mr. Kelly told me it was torn up.

2139. Why did you go back for yours?—To have my card the same as the other men.

2140. What did you want to do with your card after you got it?—Hearing the other voters say that they received money in the morning for their cards, I wanted to get my card.

2141. What was the use of the card to you; why did you go to get the card; why did you want it?—Because I expected to get money on it.

2142. Did you observe what was on the card?—I did; I read it.

2143. What was on it?—"Sir Rowland Blennerhassett's Polling Card," and my name there, with my number on the register.

2144. Was Mr. Morris's name at all on that card?—Not at all; he had cards of his own.

2145. Did you get one of Mr. Morris's cards?—I did not.

[The Witness was directed to withdraw.

James Ormsbee, was called in; and, having been sworn, was Examined by Mr. *Montagu Chambers,* as follows:

J. Ormsbee.

2146. At the last election, were you a freeman of Galway?—Yes.

Mr. *Montagu Chambers* said this Witness had been examined before, and that he proposed not to read his previous evidence, but to ask him a few supplementary questions.

The *Chairman* asked the learned Counsel whether the Committee were to consider the former evidence of the Witness as evidence in this case.

Mr. *Montagu Chambers* replied in the affirmative.

2147. Who took you to vote for Sir Rowland Blennerhassett and Mr. Morris; do you know a man of the name of Pearce?—Yes, sir.

2148. Did he ask you to vote for anybody?—He did.

2149. What is Pearce's Christian name?—John Pearce.

2150. Who did Pearce ask you to vote for?—He asked me to vote for Mr. Morris.

2151. Well,

2151. Well, now, had you seen Pearce going about canvassing?—I did not see him canvassing any more than myself and another man named James Shaw, but I saw him on the day of the poll.

2152. What other men had he canvassed?—Well, I could not say exactly what other men

2153. But were they voters?—Yes, they were voters.

2154. Well now, was he in company with anybody, when he canvassed you and canvassed the other voters?—No, at his own door.

2155. Now, on the day of the poll, did you see Pearce doing anything, or did he make any application to you then?—No.

2156. What was he doing on the day of the poll, if anything?—I could not tell you anything about that.

2157. Now you went up and voted, did you not?—Yes.

2158. Did you get any money for your vote?—I did.

2159. From whom?—From Mr. Thomas Fahy.

2160. Before you got that money, did you get a ticket?—I did.

2161. Where did you get the ticket from?—In the booth room, near court house, where I voted.

2162. Who gave it you?—I cannot remember who gave it, because we had to get it from the clerks that sat round the table.

2163. Was that before you went to vote?—Yes.

2164. Now, did you know who that ticket was to vote for?—That ticket, sir?

2165. Yes?—Yes, I did know that ticket was to vote for Sir Rowland Blennerhassett.

2166. You say that ticket was to vote for Sir Rowland Blennerhassett?—Yes, sir.

2167. Did you get any other ticket?—I did.

2168. Where did you get that?—I got it from Mr. Harrison in another place.

2169. For whom was Mr. Harrison acting?—For Mr. Morris, sir.

2170. Where was he acting for Mr. Morris, at what place?—At the rear of the court house.

2171. Now then, we have understood that you voted for both; when you voted, did you get any ticket?—No.

The *Chairman* asked if this Witness's name was on the list of those who had been bribed.

Mr. *Montagu Chambers* replied that it was

2172. Well, now, when you had voted, did you get any ticket?—No ticket, sir, after voting.

2173. You got two tickets, you say?—I did, before voting.

2174. What did you do with those?—The man who paid me, took charge of my tickets and polled me, and brought me to his house, and paid me.

2175. What man?—Thomas Fahy.

2176. Did he take you with any other voters, or alone?—No; he took six tickets, and six men to the poll.

2177. Now tell me, which place did he take you to from the poll; you say you got a ticket to vote for Sir Rowland Blennerhassett, and you also got a ticket to vote for Mr. Morris; which place did Fahy take you from, from Mr. Morris's room or from Sir Rowland Blennerhassett's room?—He came up to us, sir, and took our tickets, and polled us; there was a difficulty in polling us, the crowd was so great.

2178. He came up to you after you had been to these places?—Yes.

2179. And then took you to the poll?—Yes, sir, and took our six cards and polled us.

2180. Now, do you know the names of the persons who went up with you to the poll?—I do.

2181. What are their names?—James Shaw, Sam Shaw, and Bill Shaw.

2182. Three Shaws?—Pat O'Donnell and Pat Sullivan.

2183. Do you know a man of the name of Hubbard?—I do.

2184. Did he go with you?—No.

2185. Now, did you all poll at the same time; those five that Fahy took up to the poll?—Yes.

2186. Whom did you poll for, all of you?—All for Sir Rowland Blennerhassett and Mr. Morris.

2187. Now, on the evening of the polling day, did you go anywhere to get your money?—I went to Mr. Fahy's house.

2188. Well, now, you have named these men; did they go also?—They did.

2189. Did you see them there, or did they go with you?—I did.

2190. Did they go with you, or did you find them there when you were at Fahy's on the evening of the poll?—It was at a public-house; they were sitting there drinking, and they came with me to get paid, and I got paid just as well.

2191. Did you go with them to Fahy's to be paid?—I did.

2192. Were they paid as well as you?—They were.

2193. How much each?—5 *l.* each.

2194. Now, besides that, did Pearce give you anything, or offer you anything, for voting for anybody; John Pearce I am speaking of?—He promised me 5 *l.*, but I did not get it.

2195. But did he give you anything else?—Nothing of any value.

2196. I suppose a bottle of whiskey; did he give you anything of that kind?—Some trifle that way.

2197. Was it a bottle of whisky; tell us what it was?—It was, sir.

2198. Did he give you any little coin besides?—Very little; there was another man and myself asked him for something, and he only gave us a shilling to have something to drink.

2199. By the *Committee.*] That was another man, I understood?—Another man.

2200. Did you get a shilling each?—No, we got it between us, sir.

2201. Well, now, before he gave you that, when he promised you the 5 *l.*, which you say he did not give you, did he say what he would give you the 5 *l.* for?—Surely for Mr. Morris, and nobody else.

2202. What were you to do for Mr. Morris for the 5 *l.* he promised you?—Surely to vote for him; the two of us, James Shaw and myself.

2203. Did he give you 5 *l.* between you?—No, the two; he told us he would give us 5 *l.* each.

2204. Mr. *Montagu Chambers.*] After the voting did he give you any reason why he would not give you the 5 *l.*, and only gave you the bottle of whisky?—He said he could not do it, sir.

2205. Did he say why?—He did not tell us why.

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2206. When was it; how long after the poll was it that he gave you this bottle of whiskey, and said he could not give you the 5 *l.*; was it the same day?—Before we polled we got the whiskey.

2207. And was it before you polled that he said he could not give you the 5 *l.*, or after you polled?—After I polled he would not give me the 5 *l.* He promised it to me before I polled, sir.

2208. Then, how long after you had polled was it that he told you he could not give it to you; the same day, or a day or two afterwards, or when?—In a day or two afterwards I asked him, and he said no; and I asked him a week after, and a month after, and he said no.

2209. Did he ever give you any reason as to why he could not give you 5 *l.*?—Never any reason or any satisfaction.

2210. You have named other persons who received their 5 *l.* at Fahy's public-house on the evening of the polling day; did you see any other voters at Fahy's public-house on the evening of the polling day receive any money?—No sir, I did not, indeed.

2211. Who was paying the money?—Himself, sir; Fahy.

Cross-examined by Mr. *Rodwell.*

2212. Now, you were examined the other day, I think, were you not?—Yes, sir.

2213. Only a day or two ago; how came you the other day, when you were asked about this matter, how came you not to tell the Committee what you have been telling us to day?—I was never asked it, sir.

2214. Were you not. Now, just attend to me; you were asked this question: "Were you canvassed by Mr. Pearce?—I was. For whom?—Mr. Morris. Were you canvassed by anyone for Sir Rowland Blennerhassett?—Well, indeed, I was not altogether for Sir Rowland Blennerhassett," and so on. "John Pearce never told me anything at all, but canvassed me for Mr. Morris." Now, then, you were asked that; which is true, that John Pearce never told you anything at all, but canvassed you for Mr. Morris, or that John Pearce promised you 5 *l.* to vote for Mr. Morris?—That is the truth, sir.

2215. But why did you say the other day, then, "John Pearce never told me anything at all, but canvassed me for Mr. Morris"?—I do not think I could have said that.

2216. Oh, yes, you did. Now, how do you explain that; have you been talking about this matter since you were examined the other day by this gentleman here?—All the talk to me would not make me change.

2217. Answer the question plainly; have you been talking about this matter, or examined about this matter, since you gave evidence here the other day?—Not a single word that way.

2218. Not at all?—Not to put on ——.

2219. Finish your answer—not to put on what?—I have not, indeed; I have not talked about that.

2220. Do you swear that?—I do, surely.

2221. You swear you have not been speaking to anybody about your evidence, or given any further evidence than you gave the other day, or made any further statement?—Oh, I was, to be sure, but not altering my mind.

2222. Who have you been talking to about it since you were examined the other day; who have you been talking to about your evidence?—I was talking to an attorney.

2223. Which of these gentlemen?—An attorney, I think.

2224. Is he here?—Yes; it is that gentleman (*pointing to a gentleman behind the learned Counsel*).

2225. Have you been talking to him?—I have.

2226. Since you were examined here the other day?—Yes.

2227. About your evidence?—Yes.

2228. About the 5 *l.* and Mr. Morris?—Yes.

2229. What did you mean by giving me the answer three seconds ago, that you had not been talking to anyone about this evidence.

The shorthand writer was requested to read the following question and answer:—

"Answer the question plainly; have you been talking about this matter, or examined about this matter, since you gave evidence here the other day?—Not a single word that way.

"Not at all?—Not to put on ——"

2230. Is that evidence which you have given false?—I spoke to that gentleman, and I was not examined about what I had to say; there were no questions asked me of what I had to say.

2231. That is not an answer to my question; the short-hand writer will read my question to you again?

The shorthand writer read the following question:—

"What did you mean by giving me the answer, three seconds ago, that you had not been talking to anyone about this evidence"?

2232. Have you been talking to anyone about this evidence?—I have.

2233. Then what you swore two minutes ago was a lie.

Mr. *Montagu Chambers* objected to this mode of examination; and, after some discussion, the examination was continued, as follows:

2234. Mr. *Rodwell.*] When was it you spoke to this gentleman about it?—In the evening when I left here I made the remark that I had not been asked the entire of what I could say, and I was allowed to leave the court without saying what I had to say.

2235. You went and told them that you had more to say than you had said?—Yes.

2236. Did you go to the attorney and tell him that you had more to say than you had said when you had been examined?—I made that remark.

2237. Where did you go to then?—I went to my lodgings.

2238. Did he come over to your lodgings, or did you go to him next morning?—I went to him next morning.

2239. At his office?—Yes.

2240. Did you make the statement to him?—Of course, he took another statement what I had to say.

2241. Did he take it down in writing?—Yes, I told him.

2242. And he took it down in writing?—I think he did.

2243. Is

2243. Is it untrue then what you said just now, that you had said nothing about it in that way, and that nothing had been taken down, or words to that effect?—

Mr. *Montagu Chambers* objected to the question, as not representing what the witness had said.

2244. Mr. *Rodwell.*] I did not pledge myself to the particular words. You told me in fact just now that you had made no statement about this evidence, and you then told me that you had made no statement that was taken down in writing?—

The shorthand writer read the Witness's previous answer, as follows: "I spoke to that gentleman, and I was not examined about what I had to say. There were no questions asked me of what I had to say."

2245. Then it is untrue, that statement that you made to me?—I do not understand you.

2246. How long were you with this gentleman, this attorney?—I do not know how long.

2247. Yes, you do; was it half-an-hour?—Well, indeed it was not that, I do not think it was.

2248. How long was it; I do not care how long it was, if you will say?—Well, we will say a quarter of an hour.

2249. Was he writing all that time?—No.

2250. Was he talking to you?—He was not talking to me all that time.

2251. What did you tell him then?—I could not tell you now.

2252. You must?—I do not know exactly what I told him.

2253. Did you go to him by appointment?—No.

2254. Was it not by appointment on the previous afternoon?—No.

2255. Did he not tell you when you left him that you were to come to him next morning?—I do not think he did.

2256. What did he say?—I forget.

2257. How came you to go there?—Well, some of my parties took us up, and we went to see him.

2258. Some of your party?—Yes.

2259. Name the party?—Edward Murdon.

2260. Did Edward Murdon say anything with regard to the evidence you had been giving?—No, I do not know that he did.

2261. How came you to go there then, did Murdon tell you to go there?—I do not know that he did; we might have had some talk about it.

2262. Did not you and Murdon talk over this evidence before you went to the attorney's office?—We did, I think.

2263. The night before or the morning before you went, or both?—(*No answer.*)

2264. Do not keep me waiting in this manner, pray?—What is it, sir?

2265. Do not you know what I asked you?—Ask me again.

2266. Did you and Murdon talk over it the night before you went to the attorney, or the morning before?—We often talked about it.

2267. After you had been examined?—Indeed I do not know whether it was before or after. I forget now whether it was before or after.

2268. You do recollect it, and I can refresh your memory; did you not walk down to the office with Murdon, and tell Murdon what you were going to say about that 5 *l.* note of Pearce's; just recollect yourself?—I did not care to trouble myself about telling Murdon about it; I did not think he could do or say anything about it.

2269. You did tell Murdon, did you not?—It does not much matter if I did; I forget now; did I tell him or not?

2270. I will refresh your memory, if you say you cannot answer; I will ask you again before I have to go a roundabout way to get at it; did you not talk over this 5 *l.*, and Mr. Pearce and Mr. Morris, with Murdon on your way that morning to the attorney's office?—Yes, I am sure I did.

2271. Have you just recollected that?—(*No answer.*)

2272. Have you just recollected that?—(*No answer.*)

2273. Have you just recollected that, I ask you?—Oh, I have, sir.

2274. You had forgotten it before?—(*No answer.*)

2275. Did Murdon tell you that you had not hit Morris, and that your evidence only went against Sir Rowland Blennerhassett?—No, not a word.

2276. Nothing of that sort?—No, sir, not a word.

2277. Well, did he tell you about it?—I was saying to Murdon, that I was not asked what I intended to say, and that I should answer but what I was asked, and that I had more to say about it; that was all the conversation I had.

2278. You told him what it was you had to say?—I do not know whether I did or not.

2279. Did he not ask you what it was you had to say, and did you not tell him?—Indeed, he did not ask me.

2280. You told him without asking; is that what you mean?—I told him without asking.

2281. Now, I will go back to a question that you were asked the other day; you were asked a question about Mr. Pearce, and your answer was this: "John Pearce never told me anything at all, but canvassed me for Mr. Morris;" now it appears John Pearce did tell you about the 5 *l.*?—He did, really.

2282. At the time you gave the answer the other day, in these words: "John Pearce never told me anything at all, but canvassed me for Mr. Morris;" had you forgotten about the 5 *l.* note?—No, he never told me about Sir Rowland Blennerhassett, that is what I meant to say.

2283. Your answer is: "John Pearce never told me anything at all, but canvassed me for Mr. Morris;" you meant then, that he never told you anything about Sir Rowland Blennerhassett; is that what you mean to say?—Yes, just so.

2284. That was what you meant by that answer?—Yes.

2285. Did you not say the other day that you received the 5 *l.* note from Mr. Fahy; I will read it to you to refresh your memory; "Did you receive any money from Higgins or Mr. Burke?—No, nothing; no. Did you ever state in the presence of Edward Murdon that you had had 5 *l.* for your vote?" this is in the examination in chief; "I am sure I did. Was that true?—It was true, sir. From whom did you receive the 5 *l.*?" then there is some discussion about the admissibility of the question, and then it goes on in this way —"From whom did you receive that 5 *l.* for your

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vote?—From Mr. Fahy." Do you recollect stating that?—Yes.

2286. Had you forgotten about Pearce offering you the 5 *l.*?—I did not forget it.

2287. Then it was the omission of the gentleman who asked you?—As I was not asked about it, I had no notion of saying it.

2288. Had you made a statement to anyone before saying that Pearce had offered you 5 *l.*, and was that taken down in writing?—(*No answer.*)

2289. Before you were examined the other day, were you examined by an attorney?—Yes.

2290. Who was that gentleman; was it the same that you have spoken to just now?—The very same.

2291. Did you tell him then anything about Mr. Pearce and Mr. Morris, and the 5 *l.*?—I think I did.

2292. Be sure about it?—I am not sure; but I had a right to tell him if he asked me.

2293. Did you tell him at the time; do you recollect one way or the other?—I think I did.

2294. Then what you told him the other morning when you went to him was not fresh; had you said a word to him about that 5 *l.* and Mr. Pearce and Mr. Morris until after you were examined the other day?—I had it always to say; I could always have said it.

2295. I ask you, had you stated before you were examined the other day anything about Mr. Pearce and the 5 *l.* note?—Oh, yes; often.

2296. To that attorney?—No, sir.

2297. Where are you lodging, may I ask?—I forget the name of the place.

2298. Is it in London?—Yes.

2299. How long have you been up in London?—Since Sunday.

2300. Have you received any money yet for your expenses?—No, indeed.

2301. Not a halfpenny?—No, indeed.

2302. Not for your travelling expenses?—No, indeed.

2303. Have you paid them out of your own pocket?—No; I got some money to pay my expenses.

2304. Have you paid your own expenses?—I have not paid anything for my expenses.

2305. Who paid your expenses for coming here?—My fare, you mean?

2306. You did not pay it yourself?—No.

2307. Have you paid any expenses since you have been in London?—Not a penny.

2308. Who do you look to for payment?—I will look to the man with me; Edward Murden.

2309. Your friend, Edward Murden?—Yes.

2310. Has he made any bargain with you as to how much you are to have?—Indeed, he has not.

2311. Nothing at all?—Nothing.

2312. Edward Murden has not spoken to you at all, nor you to him, about what you are to have?—No.

2313. Not a word?—Not a word.

2314. You have no notion of what you are to have?—I have no notion of what I am to have; but he feeds me.

2315. You do not expect to be paid?—It is all according to what the court allow me; I do not know whether I will or not.

2316. You expect to get something?—I ought to get something; I am a tradesman, and I have come up here all the way from Galway for nothing at all, and I left the family after me, and I think it is too bad if I am not satisfied for my trouble.

Re-examined by Mr. *Montagu Chambers.*

2317. Now, attend to me; were you served with a warrant; what is called a Speaker's warrant?—I was.

2318. When was that?—Some time last week.

2319. Well, did they give you anything with the warrant to bring you here?—Yes.

2320. What did they give you?—Just as much as carried me up.

2321. But tell us the sum?—Three guineas.

2322. Did you start immediately after you had been summoned?—I did.

2323. Were you served with a warrant to come on behalf of Mr. Lever; was it to attend as a witness for Mr. Lever?—Yes.

2324. What time on Sunday did you arrive?—By the late train in the evening; about seven, I think.

2325. You gave your evidence, I believe, on the Monday?—Yes.

2326. Before you had given your evidence on Mr. Lever's petition on the Monday, had you seen anything of this gentleman who stands behind me; look at him; the attorney?—I have, sir.

2327. Before you gave evidence?—I have.

2328. You arrived on the Sunday evening; did you see this gentleman at all before the Monday?—I have, sir.

2329. Where did you see him?—I saw him at his office.

2330. Well now, I want you to tell me when you first saw him; and, before you gave your evidence here, did you tell him anything about what you could say?—I did, sir.

2331. Was that on the Sunday evening?—Yes, sir; I think it was on the Sunday evening after I came up.

2332. I am anxious to know the exact time, and, therefore, consider; was it on the same evening that you arrived in town that you saw this gentleman who stands behind me, who acts for my client?—It was, sir.

2333. Now then, you gave him a statement then?—Yes.

2334. You were examined the next day, I understand, on the part of Mr. Lever?—Yes, sir.

2335. When was it that you said to anybody that they had not asked you all the questions that they might have asked you?—After I went home.

2336. Now, tell me, who did you mention it to first that they had not asked you all the questions that might have been asked you; can you recollect this; I will get this from you first; are you staying in the same house with any other witnesses?—Yes.

2337. Now, can you recollect who you mentioned it to that you had not been asked all the questions that you might have been asked?—I think, to Edward Murdon.

2338. Well now, you have mentioned that you did go to the office of this gentleman; when was it that you went to his office; can you recollect that; you know to-day is Wednesday; was it the day before yesterday, or yesterday morning, or when?—I think it was yesterday morning, sir, or the next day before that again.

2339. Oh, the day after you had been examined,

mined, you went to the office of the attorney of Mr. Stubber?—Yes.

2340. Well, who was it went in company with you; how did you find your way to the place where you found him?—Edward Murdon knew the way, sir.

2341. And took you there?—Yes.

2342. Well, when you got there, did you give a statement to this gentleman who is standing behind me of what you could say?—I did.

2343. Now, did he desire you to attend as a witness, or to remain in town; tell us what occurred when you saw him?—Yes.

2344. He desired you to remain?—Yes.

2345. Now, I observe, when you were examined the other day, the first question put to you was this: "Do you know John Pearce; were you canvassed by Pearce?" do you recollect that being asked you?—Yes.

2346. Then the question was put, "For whom; for Mr. Morris; were you canvassed by anyone for Sir Rowland Blennerhassett?" and your answer is, "Well, indeed, I was not altogether for Sir Rowland Blennerhassett. What do you mean by 'not altogether'; were you canvassed at all for Sir Rowland Blennerhasset"? then the answer was, "John Pearce never told me anything at all, but canvassed me for Mr. Morris"; do you recollect that?—Yes.

2347. Well, now, when that question was asked of you about your being canvassed for Sir Rowland Blennerhassett, did you understand it was meant as to what occurred as to the canvass for Mr. Morris, or whether it applied to Sir Rowland Blennerhassett?

Mr. *Blake* objected to the form of the question, but said he should not object if the witness was asked, not what he understood by it, but what he meant by it. *J. Ormsbee.* 9 May 1866.

2348. Mr. *Montague Chambers.*] Then, I will put it in this way; what did you mean by giving the answer, "John Pearce never told me anything at all, but canvassed me for Mr. Morris"?—

Mr. *Blake* again objected to the question.

Mr. *Montagu Chambers* said he would not cause delay by discussing the matter, but would withdraw the question.

2349. Now, as you have been asked a question about telling lies; in the evidence that you have given to-day, I will ask you this question, have you told the truth to the best of your recollection and knowledge?—(*No answer.*)

2350. You stated certain things to me when I asked you certain questions; did you answer truthfully then?—I did, sir, I think.

2351. Well, now, tell me this; as you have been cross-examined with regard to money and expectations of money, has anyone held out any expectation of your receiving money for giving your evidence against Sir Rowland Blennerhassett or against Mr. Morris?—I was not promised a penny as yet, but whatever I may get I hope to get something; but I have not got it, and I have not been promised it.

2352. For what; for coming here?—For coming here, to bear my expenses.

[The Witness was directed to withdraw.

Mr. JOHN HART, was then called in; and, having been sworn, was examined, as follows, by Mr. *Montagu Chambers.*

2353. Do you live at Galway?—I do.

2354. What are you?—Hitherto, I have been in business.

2355. Hitherto! were you in any business at the time of the last Galway election?—I was.

2356. What were you?—I then conducted a china and glass establishment.

2357. Are you a voter?—Yes.

2358. As a freeman, or a freeholder, or what?—As a householder.

2359. Do you know Mr. Edward Concannen, the attorney and solicitor?—I do.

2360. The day before the last election, did you call upon him?—Yes, I did; at the instance of a friend.

Mr. *Blake* asked with respect to what case this witness was called.

Mr. *Montagu Chambers* replied, that he was called to prove agency.

2361. At that time were you acting in any capacity for Mr. Lever?—No.

2362. What was Mr. Edward Concannen?—I think he was a solicitor; I heard Mr. Concannen himself say that he was conducting agent for Mr. Lever; he said so to me.

2363. Just tell me, previously to that, had you had any proposal made to you by anyone, with reference to the election?—I think, as well as my memory can bring it to me, that it was on the day before the election, that I heard——

2364. Never mind what you heard, had you seen anyone?—It is right I should tell you how the conversation occurred; the high sheriff said to me that he would require a small number of electors, who would not be parties— Mr. *John Hart.*

2365. Had you some conversation with the high sheriff?—I had.

2366. By the *Committee.*] Was that the day before the election?—No, this was about four or five days before the election.

2367. In consequence of that, did you call upon any person?—I did, the high sheriff told me——

2368. Never mind what the high sheriff told you; you got some information from the high sheriff?—Yes.

2369. In consequence of that, did you call upon him?—I called upon Mr. Sam Reddington to ask why it was—

2370. By the *Committee.*] Answer the question?—I am stating the circumstances as well as I can; Mr. Reddington is in court.

2371. Mr. *Montagu Chambers.*] Had you any conversation with him, with reference to the coming election?—I had; I asked Mr. Reddington why it was that he objected to the name of a supporter of the candidate for whom he was concerned, as deputy to the sheriff during the poll; I asked him why he objected to my name being a deputy sheriff, knowing, as he must have known, that I was to support the candidate for whom he was concerned.

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2372. What answer was given to you?—Mr. Reddington first said that he did not do so, and that he did not object.

2373. By the *Committee.*] Did you vote at the election?—I did.

2374. Whom did you vote for?—For Sir Rowland Blennerhassett, and for Mr. John Lever.

2375. Mr. *Montagu Chambers.*] Mr. Reddington replied, that he had not objected to your being appointed?—He said so at first, but on my telling him that the high sheriff told me so, he assented.

2376. Was anything said about your being appointed to any other office?—Yes, Mr. Reddington senior ——

2377. Was his father present at this meeting?—It is right I should say, that, immediately afterwards, I met the father coming into the office; this was at Mr. Reddington's office, and I met the father, and we both mentioned it to Mr. Reddington again, and Mr. Reddington the elder said, that it might be managed in a better manner, and that I might get a better position, that I might get a position that would answer better, and that would be better for me.

2378. By the *Committee.*] Mr. Reddington senior said this?—Yes.

2379. Mr. *Montagu Chambers.*] In the presence of the son?—Yes.

2380. Was it mentioned what that office was?—It was.

2381. What was it?—He said that the office would be that of booth inspector.

2382. Did you make any inquiry?—I just asked if that office was such an one as an elector could hold legally.

2383. What answer did he make to that?—Both gentlemen said it was.

2384. What occurred then?—I then said that I was obliged to them, and that I would accept it.

2385. Was anything said about their appointing you, and upon what terms you were to be appointed?—Yes.

A discussion ensued (with reference to the admissibility of evidence which was given, but afterwards ordered to be struck out) during which Mr. Coffey admitted that Mr. Reddington was the agent of Sir Rowland Blennerhassett.

2386. Was anything said about Sir Rowland Blennerhassett?—I don't recollect that there was, except what I said myself.

2387. I believe you were not appointed to this polling booth, were you?—No.

2388. Who did you vote for?—For Sir Rowland Blennerhassett and for Mr. Lever.

2389. Are you acquainted with Mr. Waters, the barrister, who sits at the other end of the table?—Indeed I am not; I have not the honour of knowing him.

2390. Do you know him by sight?—No.

2391. I was going to ask you whether you saw him at the late election?—No, I might have seen him in the public courts.

2392. Did you act at the election for anyone?—No, I simply voted.

[The Witness was not cross-examined, and was directed to withdraw.

Mr. *Ribton* asked if it was understood that the whole of the evidence which had been given on Mr. Lever's petition was to be considered as having been given also upon Mr. Stubber's petition.

The *Chairman* stated that the Committee understood that that had been agreed to.

Mr. *Montagu Chambers* stated that he had concluded the case of Mr. Stubbers.

Mr. *Rodwell* was heard to open the case of Mr. Morris, and was about to call witnesses, when

Mr. Serjeant *Ballantine* was heard to contend that the case of Sir Rowland Blennerhassett should be proceeded with conjointly with that of Mr. Morris, and therefore that it should be opened before Mr. Rodwell called his witnesses.

Mr. *Montagu Chambers* was heard in support of this contention.

Mr. *Rodwell* was heard in reply.

The *Chairman* stated that the Committee would first hear the case of Mr. Morris.

Mr. Michael Morris, a Member of the House, was then sworn; and Examined, as follows, by Mr. *Blake*:

Mr. *M. Morris.* M.P.

2393. You are at present one of the sitting Members for the borough of Galway?—I am.

2394. Has your family been long connected with that town?—My family has been connected with the town since it was built; for 500 years. I am the representative of one of the 14 families who settled in Galway, and who built the town in the year 1400 (as appears by the History of Galway which I have here), whence it gets the name of "The City of the Tribes."

2395. Was your father a magistrate of that borough?—Yes.

2396. And he filled the office of high sheriff, I believe, in that borough?—Yes.

2397. Soon after you came of age did you yourself fill the office of high sheriff?—I did in the year that I came of age.

2398. Did you fill any other office in that borough besides the office of high sheriff?—I did.

2399. What was the office you filled?—I was Recorder of Galway.

2400. For how long?—From the year 1857 until I resigned for the purpose of standing for Galway last spring. The Act of Parliament incapacitates a recorder from sitting for the same borough for which he is recorder, and I resigned for the purpose of standing, in the month of March, and I said so at the last sessions that I held. I said it was the last time I should address them in that capacity.

2401. When were you called to the bar, Mr. Morris?—At the end of 1849, the year after I came of age.

2402. I believe you are a Queen's counsel?—I have been since February, 1853.

2403. Had

2403. Had you an uncle named John Blake, who was connected with the politics of that time?—I had; my maternal uncle was a barrister of that name.

2404. May I ask you, did you ever act as an election agent of that borough?—I never acted as any agent; I acted as the personal friend of Lord Dunkellin (of whom I have the honour to be, as I believe, a very great personal friend), at the last three elections previous to my own, namely, at the elections of 1852, 1857, and 1859, having a good deal of local influence, as it appears.

2405. Prior to the last election, had you intimated publicly that it was your intention to stand for the borough?—I never made an express intimation previous to my resigning the office of Recorder in March 1865; but it was well known that I intended to stand for the borough at the first opportunity.

2406. Was that matter of general knowledge for any considerable time before the last election?—At all events for the last three years it was just as well known as I knew it.

2407. Now, sir, you recollect the Spring Assizes of 1865?—Yes, I do.

2408. You were a barrister, I believe, on the Connaught circuit, on which Galway is one of the assize towns?—Yes, I go the Connaught circuit, and Galway is the last town on the circuit.

2409. Did you, soon after the Spring Assizes of Galway, canvass the electors of Galway?—After the business of the assize was over, I held my own sessions, and they were the last sessions I attended.

2410. As recorder?—As recorder; and when the business was over, I stated that I had ceased then to be recorder, and I immediately then remained for three weeks in Galway at my brother's place, within a mile of the town, for the purpose of canvassing the electors, knowing that an election would take place in the summer of the year. At the time I thought it would have been in the autumn, and it would have been excessively inconvenient for me to lose my term; I had three weeks to spare before term, and I thought I would take advantage of it.

2411. As a fact, you did canvass shortly after the Spring Assizes?—Immediately after; from the 25th March to the 10th April; I stopped a short mile from the town, and I came into Galway from day to day at 10 o'clock, and canvassed until about six; I used to walk about for an hour, then turn into the club, and then go out for another hour, and so on.

2412. Had you a list of the voters at that time?—I had; these are the original lists that I have in my hand.

2413. Did you continue to canvass from day to day when you began, until you finished it?—Yes; I may say from day to day until it came so close to Easter term that I was obliged to go to Dublin; I had substantially canvassed, I suppose, 800 of the electors; I am personally acquainted with nine out of ten, I believe, of my constituents.

2414. Now, was the result of that canvass favourable to your views?—I received about two refusals, and they were from two unimportant persons; I have no recollection (and I have tried my mind about it) that I received any more refusals.

2415. Did any person accompany you on that canvass?—Not a single solitary person; I would not allow my brother even to come with me. I had no necessity for anybody, for I knew the constituents better than anyone who could accompany me; and if I had brought anyone with me, other friends of mine would have been jealous; therefore, in order that there should be no jealousy amongst friends of mine (and I thought the whole town were my friends), I would not allow my brother to come; and I made that excuse to people, who said, "I wonder you do not allow me to go with you." I said, "I would not even allow my brother to come, who knows the town equally as well as I do;" he is younger than I am.

2416. Easter Term, I believe, began on 15th April?—Yes; it always begins on the same day, unless it should happen to fall on a Sunday.

2417. Did you return to Dublin shortly before that?—I did.

2418. Was it about the 10th of April?—About that time; it was certainly before the 15th, some two or three days; as you well know, I have a good deal of business.

2419. From the time you went to Dublin, about the 10th of April, when next did you arrive in Galway?—I never was in Galway from that time until the 8th of July, when I went down with the writ; hearing that it had arrived in the Hanaper Office, and was to go down with the two o'clock train, I thought it was time for me to go down with it.

2420. Prior to that, had you heard anything of Lord Dunkellin resigning as a representative of Galway?—Lord Dunkellin and Mr. Lever were the two sitting Members; and on the 24th of June, which was that day fortnight, Lord Dunkellin informed me by letter (which I have here, and can produce, if there is any necessity to do so, for there is nothing private in it), that he should resign, because his relative Sir Thomas Bucks, was leaving the county, and he wanted to become Member for the county. I expected that he would have been my colleague, and I received that letter, stating his resignation with very great dismay; it was the first intimation that I had of his not being my colleague; it was on the 25th of June that I received it, with a great deal of dismay, seeing that it would create a contest, as I thought no one would come forward between Lord Dunkellin and me; but when I received that letter, I immediately saw there would be a great contest for the second place, and that a number of people would start up, and that I should be involved in trouble, as unfortunately I have been.

2421. Prior to your going to Galway, did you publish an address to the electors, which is printed in this newspaper (*handing same to Witness*)?—Prior to going down, on the 10th of July, I did; I never did issue any address to state what my politics were. On the 1st of July, when I received that letter of Lord Dunkellin's, I saw by the public papers that there were candidates starting from all parts of the world for Galway, seeing that there was an opening for somebody.

2422. Now, be good enough to name the individuals whom you recollect did come forward as candidates at that time?—Mr. Lever went down there again to renew his application to the town, which surprised me, and Mr. Stubber also appeared on the scene; there was also Mr. Osborne, a merchant, I believe, from Cork or Limerick; I

Mr. *M. Morris.*

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saw an address from him in the newspapers, and I have no doubt that he came forward; I saw some of them in Galway, when I arrived in July; there was Mr. Heron, a barrister, Sir Rowland Blennerhassett, and Mr. Rearden, the present Member for Athlone.

2423. By the *Committee.*] That was six candidates?—Yes, sir. I then thought it right for the first time to issue this (if you can call it so) address, which I will read: "To the Electors and people of Galway: You are aware I seek the honour of being one of your representatives, and as the dissolution of Parliament has been fixed for an earlier day than was anticipated, I desire to inform my fellow electors"—I am an elector myself, although I did not vote at the election—"particularly those whom on former occasions I had not the pleasure of meeting, that within a few days I shall be again at my post. Intimately connected as I am with you by birth, by family; coeval with the first foundation of our town, by property, by personal acquaintance with almost every inhabitant; in fact, by every tie that can unite, it would not, I consider, be fitting for me to issue the merely formal address of ordinary candidates. I shall, therefore, postpone, until we meet in a few days, the full statement of the grounds upon which I confidently anticipate you will think me a proper guardian of your interests, and entitled to be one of your representatives. I remain, fellow townsmen, faithfully yours, Michael Morris." I wrote that from my house, No. 22, Lower Fitz-William-street, Dublin, and I sent it down to the two local papers to be printed.

2424. When did you arrive?—On Friday, the 8th of July, by the two o'clock train.

2425. Now, when you arrived in Galway on the 8th July, were there any persons waiting for you in the square or at the railway station?—I should say that nine out of ten of all the respectable inhabitants of the county and the town of Galway were there.

2426. At the railway station?—Yes; at the terminus; it was known that I was going down. I wrote that I should be down by that train, and there was an enormous crowd of the working classes, and I do not think I am exaggerating in saying that nine out of ten of the respectable gentry and shopkeepers of Galway were there waiting for me.

2427. When you came out from the railway terminus to the public square, did you address any of these people?—When I came out of the terminus where the respectable people were allowed to come in by the railway authorities, and when I got into the square, it was one mass of people; and as there happened to be a large omnibus there, and as they insisted that I should address them, I got upon the top of the omnibus, and I addressed them. I should say that there would be at all events 600 electors out of the 1,000 present, and I suppose that there were 5,000 or 6,000 people. The town contains 25,000 inhabitants, and I am sure that the half of them were there.

2428. You hold in your hand a report of your speech?—Yes.

2429. By the *Committee.*] It is stated in "Dodd," that the population is 16,000?—That is the population of the municipal borough; the population of the Parliamentary borough is 25,000.

2430. And the electors are stated at 1,182?—There are 1,193 on the register, and there were about 1,010 of them available voters; the rest were dead, absent or double entries, or persons holding public situations which incapacitated them by Act of Parliament; 1,020 could not have voted, unless there were personations.

2431. Mr. *Blake.*] You have a local paper there, containing a report of your speech?—Yes; I have a paper with a report of my speech, but it does not report all that I have said; it reports a good deal of what I said.

2432. Is it a substantial report of what you said?—Yes; I said a good deal more; but I can quite imagine that the reporter could not take it all down very well.

2433. There are two or three passages there, marked, will you read them?—Mr. Rodwell has read them once, but I will read them again: I said, "People of Galway, I have come to ask you, as your townsman, as a man belonging to you, by father and mother, for your support (loud cheers). I have lived amongst you a good many of my days, and I must die amongst you (loud cheers). People of Galway, idle rumours, slanderous rumours, may possibly have been disseminated about me, because who is free from slander? But this I tell you, and I believe I assert it upon the word of a man, at all events, of whom no one ever yet said that he carried two faces under a hood (cheers), although he may have spoken a little too openly what he thought; that I repudiate any connection, directly or indirectly, with any other candidate (loud cheers). I have come to seek at your hands to be one of your Members into Parliament (cheers). Select, amongst yourselves, the person whom you choose to think the best to send to Parliament with me: because I am vain enough to think that I feel a sense of security in the position that I have occupied in your town for years. I am no stranger. (No, no, and loud cheers.) I was able to canvass the town of Galway substantially by myself. I required nobody to show me the way in the streets of Galway; every paving-stone in it I am familiar with (loud cheers). With every inhabitant—in the great crowd I see around me, with 99 out of every hundred, I have been on terms of familiar acquaintance."

2434. Now, stop there for a moment; does that truly represent the mode in which you did act in relation to that election?—Most emphatically and decidedly. I stated what is not there; and, perhaps, it very properly was not reported, because I was speaking disparagingly of the other candidates. I said that it was with a sense of humiliation that I came to Galway and found myself involved in a controversy with a parcel of strolling candidates, not one of whom would be able to find his way from the Square of Galway to the Court House without asking some one to show him the way, and whose only connection, by property and otherwise, with the town of Galway consisted in their portmanteaus. That was very properly, as I need not tell you, omitted from the report. I spoke rather hotly, being annoyed at finding myself in a contest with six or seven gentlemen, the existence of half of whom I had never heard of before, and who had no earthly claim on the people of Galway, any more than I should have if I were to stand for the City of London.

2435. Is there any truth in the statement that you introduced Sir Rowland Blennerhassett to

Mr.

Mr. Morris?—I did not know of the physical existence of Sir Rowland Blennerhassett.

2436. Now come to the second passage in the report of your speech?—"People of Galway, I come forward on no sectarian ground. Everyone that knows me knows that I was born, reared, and that I believe from conviction, in the religion of my forefathers; but, at the same time, every act of my life has been a protest against bigotry from any quarter; and I am glad to say that to citizens of Galway of all classes, for I seek not to be the representative of a class, but the representative of the people of Galway of all classes. I would not take a return to-morrow if it were done in a pocket way, or by any influence except the legitimate means of the influence of the people. I am supported by persons of all classes and of all creeds. As I said before, I am firmly convinced, and an asserter, of the religious equality of the religion which I profess. While I will seek for equality, I would be the first to protest against ascendancy, for I have lived all my life amongst people of different religions; and if in Ireland they would pull together, she would not be in the state in which she is."

2437. Is it the fact, that you were supported by the general constituency?—Yes; I am a Roman Catholic, and I am married to a Protestant; all the Roman Catholic clergy with the exception of the Rev. Mr. Daley, voted for me.

2438. How many of them are there?—Twelve or 13; the five Established Church clergymen voted for me; the Independent clergymen plumped for me, and the Presbyterian clergymen and some of the Established Church of England clergymen plumped for me.

2439. Were you aware, Mr. Morris, that reports were circulated that you were coalescing with, or assisting any of the candidates?—I was aware that some persons acting for them were suggesting, first that this, and then that that one had come down with some approval from me; I was very much annoyed at it, and therefore I wanted to disown from the beginning having the slightest choice, and I stated that I considered all of them equally ineligible.

2440. Now, Mr. Morris, look at that bill (*handing the same to the Witness*); did you cause corresponding placards to that to be posted in Galway?—I arrived on the Friday; on the Sunday I heard that persons were suggesting that I was associated with one or other of the candidates. I heard that Mr. Lever's, Sir Rowland Blennerhassett's, and Mr. Heron's friends were suggesting that I wished them to be returned with me; I accordingly issued the placard, of which this is substantially a copy, at a later period of the week, in which I again stated that I found it necessary again to reiterate what I had said before, that I had no connection, directly or indirectly, with any of them in the slightest degree.

The following is a copy of the placard in question:—

"To the Electors and People of Galway.

"Fellow townsmen, accept my best thanks for the overwhelming expression of your feeling which you gave this day. I accept it with grateful pride as the verdict which my fellow townsmen have determined to give in my favour. I knew my fellow electors, of all classes, would sustain me, but especially that the freemen would rally round the nephew of the man who achieved their freedom. I now call upon you to join together in placing me in the proud position of the head of the poll. I again reiterate, in the most emphatic manner, that I will not join or coalesce directly or indirectly, with any candidate, and I trust no man in Galway doubts the word of

"Michael Morris.

"Galway, Thursday evening."

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2441. Do I understand you to say that you had a placard similar to that, posted on the Sunday?—I had another placard posted, of which I have not been able to get a copy; this refers to a former placard; I posted that on the Sunday. Again on Thursday, the nomination day, finding it was said (and, as you have heard, one of the witnesses was led to believe) that I had broken my promise of keeping aloof, the day after the nomination I issued this placard.

2442. There is an allusion there, I believe, to your uncle, Mr. Blake?—There is. I said in that, that I hoped the freemen of Galway would rally round me as the nephew of the man who had achieved their freedom, and I called upon them to act as one man. I received the support of 95 per cent. of the freeholders, 91 per cent. of the rated occupiers, and over 80 per cent. of the freemen.

2443. The constituency consists of three classes, freeholders, occupiers, and freemen?—Yes.

2444. Did you canvass again after your return on the 27th of July?—No; I was informed that there were two or three persons who were annoyed with me for having passed them over before. In canvassing a large town of 1,200 electors, of course I must have passed over a few, and I went to three or four persons, who, as I was informed, were annoyed because I had passed them over.

2445. You have heard the statements which have been made here about Pearce and the man Duggan?—Yes.

2446. Can you tell us the circumstances with reference to them; I suppose you recollect them?—Quite distinctly.

2447. Will you be good enough to state the facts to the Committee?—There were three persons mentioned to me as persons whom I had not canvassed; a man named Malloy, a gentleman named Spellman, and this very man named Pat Smith; it should be Pat Smith, but it has been written Mat Smith. I think it was my brother who told me that Malloy and Spellman were very much annoyed because I had not canvassed them, and that it looked as if I did not think it worth while asking them for their vote. Accordingly I went to see them; I was going down Abbey-street, at the corner of which Pearce lives; Smith lives in Abbey-street, and Pearce told me, "Mr. Morris, Smith down there complains very much that you have not canvassed him."

2448. Mr. Serjeant *Ballantine.*] Who said that to you?—John Pearce, whose name has been mentioned; that was the first time I spoke to him. He came to me, and said, "Smith says you have not canvassed him."

2449. Mr. *Blake.*] Does Pearce live within a few doors of Smith?—Yes; he lives at the corner of the same street, within 20 yards.

2450. He said that you had not canvassed Smith?—Yes, and that Smith had complained of it.

2451. Did you go to see Smith?—I did; I turned out of my way, because I was going on to Malloy's,

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Malloy's, but I turned out of my way to go to Smith's. He was not in, and I saw Mrs. Smith, who expressed her full approval, and said that it was almost unnecessary for me to call; that she had known my mother and family.

2452. Was Duggan there at that time?—A man was there that I did not know; he was one of the few whose appearance I did not know.

2453. He turned out to be Duggan?—Yes, I recognised him yesterday.

2454. Had you any communication with him?—Mrs. Smith said to me, "There is a man there; you do not ask him for his vote either." Well, I turned round and said, "Will you vote for me?" I understood from him, at least this is the impression that was on my mind, that he said he would; but really, at the time, knowing that I had about 900 out of the 1,000 in my favour, I did not much mind whether he said he would or not; and I merely went to Smith, Malloy, and Spellman, because they were old friends, and because I did not wish to have any personal friend of mine offended with me. I would not have pressed Duggan to vote for me, if I had understood that he would not, for I did not care about his vote.

2455. Now, as regards Pearce, with the exception of that transaction, did Pearce ever act for you, or accompany you upon any canvass?—Never; I have had no more to say, on my solemn oath, to Pearce, than I have had to any person in this room, or than I ever had, except to ask him for his vote, as I had asked every other man in Galway.

2456. Had you any committee, Mr. Morris?—I had no committee, and no agents; I went to Galway, thinking I would just look on at the almost amusing battle, as I thought, between this party of strange candidates, as everybody was voting for me.

2457. You had no committee?—No, I had no committee, and no committee-rooms, and no agents, except those agents which the Act of Parliament obliged me to have, namely, five inspectors in each booth.

2458. Do you know the names of those inspectors?—Certainly; I had known them, for I paid them, besides I knew them well before, and directed their employment.

2459. Now, Mr. Morris, you have answered generally, but I may take it from you with a little more point. You have heard the names mentioned of a great number of persons, Fahey, Brady, Hughes, and Kirwan; were any of those persons agents of yours?—Neither directly or indirectly, nor anyone else; I would not have an agent; the occasion did not require me to have an agent, and I wanted not to spend my money; what was the use of having an agent, when everybody was voting for me?

2460. There are, I believe, a good many landowners and proprietors within a circle of four miles round the town?—There is a rural district on one side for five Irish miles, which is about six English miles, and on the other side for four Irish miles, which is equal to about five English miles, and that is a rural district of nine miles.

2461. Is it a fact, that all these rural proprietors pledged themselves to support you?—I believe I was supported unanimously by the owner of every square perch of property near the county town of Galway.

2462. By the *Committee.*] Is that a nine miles' radius?—No; it is from one extreme end to the other.

2463. Then it would be the diameter?—No, you can scarcely call it the diameter, for it is not a circle, because the Bay of Galway intersects it on one side; it is a semicircle.

2464. Mr. *Blake.*] I think you said that the gross number on the poll was 1,193?—I did.

2465. And that there were about 1,010 who could positively vote?—Yes.

2466. May I ask you how many actually did vote?—Nine hundred and ninety-five.

2467. Of these how many were freeholders?—Eighty-one.

2468. Of the rated occupiers, how many?—Four hundred and fifty.

2469. Of the freemen, how many?—Four hundred and sixty-five.

2470. Of the freeholders, how many voted for you?—Seventy-seven out of the 81.

2471. Of the rated occupiers, how many voted for you?—Four hundred and ten out of 450.

2472. Out of the freemen, how many voted for you?—Three hundred and ninety-seven out of 398, I think; that is the reason I said that there were 95 per cent. out of the freeholders, 91 per cent. of the rated occupiers, and 85 per cent. of the freemen who voted for me, and that being the case, I stated that I was the representative of all classes.

2473. Now, Mr. Morris, out of those persons who voted for you, I think you stated that you had canvassed in the March previously about 800 or 900 of them?—I think so.

2474. And 885 voted for you, I believe?—They did; and of the 110 who did not, I gave leave to several to vote against me, and I will state their names; they asked me to let them do so, having promised me before; they said they were pressed to vote for Mr. Lever on one side, and for Sir Rowland Blennerhassett on the other; they said, "You will have a majority of 500 or 600, and a vote more or less is no object to you, and I would like to please the friends of those parties." Mr. Clayton, a very old and respectable shopkeeper in Galway, called on me, and made that case out to me, and I said, "Certainly, go up and vote," and he went up and voted for Mr. Lever and Sir Rowland Blennerhassett, and there was a man named Tarpey did the same thing. Mr. Clayton is a very old and respectable shopkeeper; he said, "If you wanted a vote, I would vote for you, but I am pressed by friends to vote for Mr. Lever and Sir Rowland Blennerhassett; you will be 500 or 600 ahead." I said "I shall be that at least, but do not mention it, because a number of others might come and make out the same case to me, and then I might not be so many at the top;" that is, I meant that others might come and make out the same case, to ask me to let them off from voting for me; I remember that I gave permission in that way to three, and I have no doubt that I did to more.

2475. On the day of the nomination, Mr. Morris, you were, I suppose, in the Court House?—I was, certainly.

2476. May I ask you, who were your proposer and seconder?—I was proposed by Mr. Pearce Joyce, deputy lieutenant.

2477. Who seconded you?—I was seconded by Mr. Persse.

2478. What is his Christian name?—Thomas Persse; he is the leading man of the town, and is chairman of the town commissioners, which is the

the municipal body of the town; the one of them is a Roman Catholic, and the other a Protestant; Mr. Joyce was a supporter of Sir Rowland Blennerhassett and of mine, and Persse was a supporter of Mr. Lever and of mine; at the same time neither would Mr. Joyce have voted for Sir Rowland Blennerhassett if it had interfered with me, nor would Mr. Persse have voted for Mr. Lever if it had interfered with me; I said to everybody, "Exercise your second franchise as you like."

2479. Who proposed Mr. Lever?—Mr. Daley, the priest.

2480. Who seconded him?—Mr. Henry Persse, the present high sheriff, and the nephew of my seconder.

2481. He seconded Mr. Lever?—He did.

2482. Did that gentleman vote for him?—Certainly; and he would have voted for me; I believe he is here; he would have voted for me in preference to the gentleman he seconded.

2483. Who else did he vote for?—He voted for Mr. Lever, whom he seconded, and for me.

2484. By the *Committee.*] Did Father Peter Daley vote for you?—No, certainly not; any annoyance that I have got in this petition, I attribute to him.

2485. Who proposed Sir Rowland Blennerhassett?—Sir Rowland Blennerhassett was proposed by Captain Blake Foster, a gentleman of a good deal of property, and he was seconded by Mr. Murray, a leading merchant.

2486. Did both those gentlemen vote for you?—Both those gentlemen refused to propose or second Sir Rowland Blennerhassett, except on the express terms that they were to plump for me if I asked them, and they are here to say so.

2487. And who proposed Mr. Stubber?—Mr. Deane, of the Railway Hotel, and Mr. Power.

2488. Is that Mr. Power the pawnbroker?—Yes.

2489. Who did they vote for?—Mr. Stubber, whom they proposed and seconded, and both of them voted for me with him, and would have plumped for me if I had asked them; I have Mr. Power outside to say so.

2490. Then, in fact, seven of the proposers and seconders voted for you?—Seven of the proposers and seconders voted for me, and I believe that the whole of the seven would have plumped for me, if I had asked them; but I preserved strict neutrality, and told them to vote for anyone they liked for their second Member, because I did not take the slightest interest in it.

2491. I need not ask you in one sense (because you and I may know), but I must distinguish the two gentlemen named Persse, the proposer and seconder, from Mr. Pearce; had they any relationship or connection with the Mr. Pearce that we have been speaking of?—No, Mr. Pearce is a man of humble origin, he is a publican; and Mr. Persse, who proposed me, is a gentleman of the first respectability, and was a friend of Mr. Lever's; they were very anxious for Mr. Lever after me, and other friends of mine were anxious for Sir Rowland Blennerhassett after me; accordingly that made me most particular not to offend any of my friends, and taking not the slightest personal interest in the matter for people I never saw before, I was perfectly neutral.

2492. Now, Mr. Morris, you heard some observations here, about your being seen in Mr. Harrison's shop?—I do not think I ever go to Galway without going into Mr. Harrison's shop; he is my tailor, and he made the pair of trowsers I have on.

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2493. He is, I believe, the principal cloth merchant and tailor in the town?—He is the principal woollen draper, and has in addition, the principal tailoring establishment, and whenever I am in the town, I generally get some clothes from him, and have done so all my life; I do not doubt that I was in his shop, I do not suppose I was ever in Galway two days, that I was not in his shop; his shop is in the square, and I dare say I went into it at the time spoken of; I have no recollection that I got any clothes at that time, but I am always getting clothes when I go there.

2494. Now, take this document into your hand, Mr. Morris, and tell me, with regard to the expenses of the election, is that a list of the expenses?—Yes; you want to know about the election expenses: by Act of Parliament, each candidate is obliged to appoint an agent for his election expenses; the Act is the 26 Vict. c. 29, and it received the Royal Assent on the 8th of June 1863.

A document, of which the following is a copy, was then handed in:—

COUNTY of the TOWN of GALWAY ELECTION, July 1865, five.

Account of all sums of money paid on account of Michael Morris, Esq, M.P., by Robert Burke, his agent, for election expenses at the above election, being the account of the expenses of said election, rendered to James H. Ryan, Esq., High Sheriff for the county of the town of Galway:

	£.	s.	d.
Paid Francis O'Hara, Esq., Sub-sheriff, expenses of five booths, per receipt	30	7	–
Paid J. W. Blake, Esq., for use of rooms	26	–	–
Paid rent of yard and tally-rooms	20	–	–
Paid "Galway Express" newspaper, for printing address, advertisements, &c., &c.	20	–	–
Paid writing and tally-room clerks	17	–	–
Paid for omnibuses and cars for conveyance of voters to and from the poll	17	–	–
Paid for cars for conveyance of voters to the poll	5	–	–
Paid five booth agents	31	10	–
Paid five personation agents, one in each booth	5	–	–
Paid Thomas Higgins, Esq., for poll booths, &c.	2	18	10
Paid Croker's bill for stationery	1	1	–
Paid Black for use of room in hotel	1	–	–
Paid 10 tally-room and poll clerks	6	18	4
Paid postage, envelopes, &c., by R. Brake	–	2	10
Paid Hugh Hession for posting election address bills, and placards	3	–	–
Paid Joseph Kelly for painting boards for booths and tally-rooms	1	10	–
	£. 188	8	–

This is a copy of the account handed by me this day to Francis O'Hara, Esq., Sub-sheriff, in his office, dated Galway, 9th September 1865.—*Robert Burke.*

2495. Then, Mr. Morris, you appointed an election agent?—Yes, you are under a heavy penalty if you do not appoint one; you must appoint an election agent, and I appointed Mr. Robert Burke as my election agent, under that Act, to pay any bills that I might have to pay.

2496. Is that a gentleman of large proportions?—Yes, he is a gentleman of very large proportions; he is a good deal larger than I am, and some consider me a big man.

2497. You heard a man named Needham describe Mr. Burke, who was paying the money?—Yes, he was paying that 188 *l.*, and Needham is quite right when he says that he saw the money in a bag, for, having to pay very small sums, he borrowed a bag of my brother, who is a large land agent, for holding the silver, and he did pay it out of a bag.

2498. Mr. Serjeant *Ballantine.*] Were you present?

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present?—I was not present at the time that the payment was made, but I saw the bag.

2499. Mr. *Blake.*] As a matter of fact, you appointed Mr. Burke, and that Mr. Burke answers to the description that Needham has given of the person who was paying the money?—Yes.

2500. Now, Mr. Morris, did you give anything to Mr. Burke for the purposes of the election?—I did give him a cheque on the Provincial Bank, where I kept my account, for 300 *l.*, which I estimated would be something over my expenditure; but I thought it better to give him a cheque a little above than a little below.

2501. Beyond that sum of 300 *l.*, did you give any other money whatsoever for the purposes of that election?—Not one single, solitary shilling, no do I ever intend to do so.

2502. After the election was over did Mr. Burke account to you for the expenditure of the money?—He returned me 111 *l.* 12 *s.*, and it is right that I should explain why that 111 *l.* 12 *s.*, or why so much as that came to be returned to me; my conducting agent, Mr. Higgins, is entitled, under the Act of Parliament, to a fee of 100 *l.*

2503. Irish?—Irish. I had no idea that he would not accept his fee, although he is a very great personal friend of mine, but it appears that when Mr. Burke went to pay him he refused to take any fee at all, notwithstanding that I wished he should, and accordingly that made the difference, and accounts for the 111 *l.* 12 *s.* being returned to me; otherwise I should have had returned only 17 *l.* or 18 *l.* My expenditure legitimately ought to have been 270 *l.* if Mr. Higgins had taken his fee as my conducting agent. That is his fee under the statute, and I gave a sum of 300 *l.* estimating for his fee.

2504. You answered me that you have not paid one single shilling beyond that?—No, I believe not.

2505. Have you promised to pay any?—Certainly not.

2506. Take that book in your hand (*handing same to Witness*), and look at it; it is the report of the Galway inquiry in 1857, and your evidence on that occasion is given there; will you be good enough to turn to that part of it that was referred to by my friends?—They are the same parts that are referred to in the "Press" newspaper.

2507. Yes?—Yes, I have it.

2508. I do not want you to read the whole of that; but you have heard the suggestions that were made in consequence of your experience in relation to elections at Galway. It was suggested that you went down, knowing what was requisite to be done in the way of bribery, and prepared to carry out a system of bribery; is that true?—It is not.

2509. It is not true that you went there prepared to carry out bribery?—I swear I would not be guilty of a crime and an absurdity; I hope I would not be guilty of a crime, and those who know me do not think me to be a fool; if I had done so I would be guilty of both.

2510. You have heard a great deal of sums of 5 *l.*; was any money whatsoever paid, or any of those payments made, with your knowledge, privity, assent, or permission whatsoever?—Not one single, solitary shilling. As far as any one can swear to a thing, merely from moral conviction, I believe that not one single shilling was ever spent on my account; for the only thing I did, the whole of the four days I was in Galway, was to beseech everyone, even if they were asked for a glass of water only, not to presume to give it; for I should consider everyone an undying enemy (and, I believe, that was the very expression I used) that gave anything at all. I said, everybody was voting for me, and they were not to involve me in petitions and annoyances; and if any one did do so, they must have done it from some sinister motive; but I do not believe it was done. I am as certain as I am sitting in this chair, that it was not done; but, of course, I cannot prove a negative. I saw enough to make me (if I was guarded before) wish to have a wall of brass around myself, to be disconnected from anyone else; but I was not successful.

2511. You have heard the names of a number of persons mentioned,—Kirwan, Hughes, Brady, Pearce, Harrison, and others; have you seen these persons all in attendance here?—They are all in the lobby; I have seen Brady, Pearce, Hughes, Harrison, and Kirwan in the lobby since Saturday.

2512. And Curran?—Yes.

2513. And Robert Power?—Yes.

2514. May I ask you whether any of those witnesses were summoned on your behalf, that I have enumerated?—None, I believe; and, in deed I may say that I am certain they have not been summoned for me; they have been summoned by Mr. Lever and by Mr. Power, or by both of them.

Cross-examined by Mr. Serjeant *Ballantine.*

2515. You have used the expression "strolling candidates"?—I did.

2516. Mr. Lever, I think, has represented Galway on two former occasions, has he not?—He was returned to Parliament about the month of January or February——

2517. Am I putting a question that you cannot answer?—You are putting a question that I could not give you a direct answer to, because he was returned just before the break-up of the Parliament of 1859, and, therefore, he sat for about two or three months.

2518. He was in fact returned twice, was he not?—Yes; once was a single election.

2519. It is a matter of luck, having only a short time to sit, I believe?—I thought you meant to say that he was a sitting Member for some time; he was returned just before the break up of a Parliament, when there was a vacancy arose, and he got in.

2520. He was returned?—He was.

2521. You would hardly say that there was anything unfair in his coming forward?—Yes, distinctly, I thought there was; I thought he had the least right of any of them, if they entered into inquiry; I declare I did in the abstract.

2522. He had been returned by 743 voters, had he not?—He was returned in 1859 by 746, I think, and I voted for him myself.

2523. Then he might reasonably hope that some of them, at all events, would vote for him again?—It would have been testing credulity greatly if he did.

2524. Knowing the constituency, you think it would have tested credulity, do you?—Yes, to believe that any one would have voted for him after the transactions that took place between

tween the time that he was returned, and the late election.

2525. You mean ——?—I mean the Atlantic Company business, which everybody knows about.

2526. Everybody has read of it?—Yes, and I and the people of Galway have suffered by it.

2527. Sir Rowland Blennerhassett is another "strolling candidate"?—Certainly it was not an expression that I ought to have used, but I did use it.

2528. You intended the expression to apply to him?—Oh, most distinctly; I intended it to apply to the entire number of candidates, because I felt annoyed at being mixed up in a contest when I looked forward, from the month of March, to getting in quietly.

2529. Some of the constituents, according to the view that you took, in 1857 were open to money considerations?—They were.

2530. There being a good many candidates, at all events, inconvenienced you, whatever your certainty might be?—Not in the slightest degree; it might diminish my majority, but I had enough of freeholders and rated occupiers to return me without the vote of a freeman at all, and I could have depended on the votes of 200 freemen as implicitly as I could depend on my own vote, from personal regard and association.

2531. Have you been in communication with Sir Rowland Blennerhassett?—That is an ambiguous phrase; I repeatedly spoke to him.

2532. Did you meet with him and converse with him?—Repeatedly.

2533. Were you in the same room with him?—Repeatedly.

2534. Had you any communication with him in relation to carrying on the election?—I do not think I had any of any consequence. He stopped at the club in Galway of which I am a member, and, of course, I met him at dinner there; and I dare say there may have been some chaffing after dinner, and persons asking him how he was getting on, and all that.

2535. Had you, or not, any verbal communication with Sir Rowland Blennerhassett concerning the election?—I may have asked him how he was getting on, but I had no communication of any sort as regards my giving him any support, or assisting him directly or indirectly.

2536. Did you ask him how he was getting on?—I have no recollection of it, but I might have done so.

2537. Am I to understand that you have no recollection, aye or no, whether you had any verbal communication with Sir Rowland Blennerhassett about the election?—I mean distinctly that I repeatedly met him, and, of course, we spoke to each other; but whether I alluded at all to the election, I could not undertake to swear, but I think it is very possible that I did.

2538. Have you any doubt about it?—Certainly.

2539. You have a doubt whether you and Sir Rowland Blennerhassett ever talked about the election?—That we ever talked beyond this: that I may have said, "How is it getting on?" or something of that sort; or, "How is it doing?"

2540. Have you any doubt about that?—When I say I have no doubt, I think it very likely, but I do not remember it.

2541. You cannot positively say yea or nay?—Certainly.

2542. Whether you had any conversation with Sir Rowland Blennerhassett about the election or not?—Certainly; I may have had some casual conversation, and I may have had the same with Mr. Lever, and I may have had the same with Mr. Stubber, and I believe I had.

2543. Did he not ask you, then, to support him?—Never, in Galway.

2544. Never, in Galway; did he anywhere else?—I will tell you what he did.

2545. Did he ask you to support him?—He brought me a letter——

2546. I really must ask the Committee to request you to give me a more direct answer?—I can give you that flatly; I will tell you what he did, and you can draw your own inference. He brought me a letter from Mr. Lynch, a large landed proprietor; Sir Rowland Blennerhassett conveyed it to me with his own hand, asking me if I would have any objection to Mr. Lynch's voting for Sir Rowland Blennerhassett.

2547. That is to say for himself?—That was in the letter; I am giving it to you as it was in the letter: it said, "If I was perfectly safe."

2548. When was that?—That was in the streets in Dublin.

2549. When?—I should say sometime about the first week in July.

2550. This interview took place then?—Yes; it was the first time I ever saw Sir Rowland Blennerhassett; he was introduced to me by Mr. O'Hagan.

2551. I understood you (but I daresay I may be wrong) to say that you did not know his person when you came down to Galway on the 8th of July?—I did not know his person, nor of his existence until he was introduced to me in Stephens' Green, in the street, by Mr. O'Hagan, a barrister, as Sir Rowland Blennerhassett, who had been calling at my house in Fitz-William-street, with this letter, and wanting to see me; I believe he did not know me.

2552. You saw him then?—In the street, certainly.

2553. What passed between you?—What I am telling you now; he drew this letter out of his pocket, and he said that he had called at my house.

2554. Did he ask you to support him?—No, certainly not.

2555. Did he ask you whether your influence would be used the other way?—No; I told him I would look to no one but myself, that he was a perfect stranger to me, and he could not expect that I should take any interest in him.

2556. Were you not in communication with him at all during the election?—None, beyond the ordinary and casual manner in which I met him, or Mr. Lever, or Mr. Stubber, or any other gentleman, that I saw during the election.

2557. Were you on friendly terms with him?—Of course.

2558. I do not know that it is "of course," after calling him a "strolling candidate;" it might make him angry, but notwithstanding that, you were on friendly terms?—I was.

2559. Had he a committee-room?—I never saw it, and I do not like to say what I believe; I never was in his committee-room and I never had

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had anything to say to him about his room; I did not go down where his committee-room was from the time I went to Galway till the time I left.

2560. Were you ever in a room with him?—No, excepting at the club house; I dined repeatedly in the club room, with 20 other gentlemen.

2561. Excepting in the club house, you were never with him?—Never that I recollect; when you say with a man, I was with him when I met him in the street; I was with him *pro hôc vice*, but I take it that you mean, was I with him at some sort of meeting.

2562. That is all that I mean?—Never, that I remember.

2563. You never met him to have any communication, or to make any arrangement with him?—No, certainly never to make any arrangement.

2564. I understand you to swear that positively?—I swear that I made no arrangement of any kind with him connected with this election, nor do I believe with anything, for I had nothing else to arrange with him, no arrangement; I said "communication" was an ambiguous word.

2565. No conversation took place between him and you on the subject of money?—Most distinctly not.

2566. Or on the subject of expense?—None that I am aware of.

2567. Did you know he was bribing?—When you say did I know it, I did not know it.

2568. Did you believe it?—I believe that Sir Rowland Blennerhassett most certainly, himself, was not bribing, and I know nothing of any bribing on his behalf.

2569. Do you know Mr. Kirwan?—To be sure I do; you may take it as a general rule that I know every man in Galway, whose name you could mention.

2570. You know Kirwan?—To be sure, I know every man; I know every witness who was produced here yesterday, and that you have examined on the matter; I think I know 19 out of 20.

2571. Do you know the relations of Kirwan with Sir Rowland Blennerhassett?—Not distinctly, I do not.

2572. He keeps a pawnbroker's shop?—He does; all I did during the four days was to keep in my lodgings, I used to stop there; they were the lodgings which I occupied for the assizes; the assizes were coming on the week afterwards, and these were my regular lodgings, and the woman charged for a fortnight instead of a week; I kept as close as possible; the assizes came on the day after I was declared Member.

2573. You always find that they charge in that manner on circuit, do you not?—To be sure; it was four guineas that I had to pay instead of two; I kept in the lodgings as much as I could; I would not go out in the street, and I would not go down to the committee rooms or to the Court House, where anything was going on; I thought I had not only taken moral precautions, but actually physical precautions against being mixed up in any transactions; I was under the impression, and am still so, that I succeeded, and yet I am as much involved as if I had not.

2574. I will just ask you, in conclusion, Mr. Morris, this question: I will take it that you pledge your oath solemnly that as far as you are aware, if there were cases of bribery committed in that election, you were no party to them, and had no knowledge of them whatever?—I pledge myself upon my oath that there is not a Member amongst the 658 Members of the House of Commons that is freer than I am from bribery.

2575. I must object to that answer, upon the ground of vagueness?—Very well, then; I knew nothing, and never had anything to say or do with respect to bribery.

2576. Just answer my question, for I am not wishing to put it too strongly?—I answer no, then; I do not object to the way in which you have cross-examined, but I do to your speech.

2577. I am to understand you to pledge your solemn oath that you have not been a party to any bribery, and that you have not had any knowledge of bribery, if any was committed during that election?—I swear that, most emphatically.

Cross-examined by Mr. *Montagu Chambers.*

2578. Did you employ any agents?—None, except Mr. Higgins, as my conducting agent, and, by my consent, he employed, as he should, agents for the booths, who were paid as stated here in my bill; I employed no other, directly or indirectly.

2579. First, then, I get from you that Higgins was your conducting agent?—Yes.

2580. What is he?—A solicitor or attorney.

2581. What do you mean by the word "conducting agent"?—I mean what the Act of Parliament means.

2582. You employed him to conduct the election for you?—Under the Act of Parliament.

2583. I do not want Acts of Parliament?—You asked me what it means, and I say that the Act of Parliament describes that the candidate shall have a conducting agent, to whom he is to pay a sum of 96 *l.* and 2 *d.*; Mr. Higgins was employed by me as that conducting agent, and he did not take his fee, as I have told you, unlike most other professional men.

2584. When did you first employ Mr. Higgins?—I wrote to Mr. Higgins; he is a very old personal friend of mine, and he always knew that when I should stand for Galway that he would be my conducting agent, or, at least, I think he did. I wrote to him from Dublin, about the 4th or 5th of July, to meet me in Galway on that Friday, the 8th of July; I went to Galway on Friday, and I returned on the following Thursday.

2585. I have not got at it yet; I asked you when you first employed him as your conducting agent?—I wrote to him from Dublin two or three days before I went to Galway, to meet me in Galway to conduct my election.

2586. Was that in the early part of July?—Yes, it was two or three days before the 8th.

2587. Had he acted for you before that?—No, certainly not; he lives at Tuam, a distance of 20 miles from Galway, and he went to Galway the day I mention to meet me by appointment.

2588. You never went into any committee-room of Sir Rowland Blennerhassett's?—Never, nor into any room.

2589. You say that you have seen certain persons here since you were in London?—Yes.

2590. Were they brought here as your witnesses?—I have sworn already that they were not brought

brought here by me, but that they were brought by Mr. Lever, or by Mr. Stubber, or by both.

2591. Where did you see these persons, Higgins, Harrison, Kirwan, Curran, and Power?—I see them every moment I go in and out that door.

2592. You know them well?—I see them about 20 times during the day.

2593. You have seen them nowhere else?—I have.

2594. Where?—Pearce and Kirwan, and Lane, one or other, called at my lodgings the day they arrived in London, and I saw them here, and I refused to hold any conversation with them, as I have done with all these sort of people; I do not think a man's life is safe, much less his character, sometimes, if he speaks at all.

Re-examined by Mr. *Rodwell.*

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2595. Any communication that you have had with Sir Rowland Blennerhassett was purely of a casual character, and not connected with any election business?—I would not have anything at all to say to any of them; not only to Sir Rowland Blennerhassett, but to Mr. Stubber as well.

2596. Sir Rowland Blennerhassett was supported by a vast number of the gentry of Galway?—He was, and Sir Rowland Blennerhassett is a gentleman of very good social position; he is a baronet, and therefore he is higher in social position than myself.

[The Witness was directed to withdraw.

Mr. THOMAS HIGGINS was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

2597. I BELIEVE you are an Attorney living at Tuam, in the county of Galway?—I am.

2598. Were you concerned with Mr. Morris at the late Galway election as conducting agent?—I was.

2599. That is, I believe, an office under an Act of Parliament for regulating Irish elections?—It is.

2600. Were the payments made with respect to that election under your cognizance?—Yes.

2601. Do you know a person of the name of Needham, a voter?—I have seen him here.

2602. Did you see him paid?—I saw him paid.

2603. Is it true that he was paid out of money in a bag, by Mr. Burke?—Yes, Mr. Burke, who was our agent for election expenses, attended at the hotel on a day appointed for that purpose, and I directed that all persons having claims on Mr. Morris should attend there on that particular day.

2604. And it is true?—Mr. Burke attended with the money, and the money was in a bag, in silver and gold, and perhaps there were some notes; that was necessary, because there were small payments to be made now and then.

2605. I believe that that 1*l.* that was paid to Needham by Mr. Burke appears as one of the items in the bill for election expenses?—That sum of a pound was paid to that man for his services as personation agent in one of the booths, and I have got here the poll book connected with the polling booth number 4, and in that book, written by myself the day before the election, I appointed the different persons to attend at that particular booth; William O'Farrell was the solicitor attending there, Timothy O'Brien was his clerk, and Patrick Needham was to be the personation agent; and I served on the High Sheriff of the town of Galway a notice to that effect, and I believe that the High Sheriff is here with that notice; I was bound to do that under the Act.

2606. Everything was done according to Act of Parliament, and that was a legitimate election expense?—Yes.

2607. I put the question as briefly as possible: do you know of your own knowledge, directly or indirectly, of any money having been spent on the part of Mr. Morris for election expenses, save those mentioned in that bill?—Most decidedly not.

Cross-examined by Mr. Serjeant *Ballantine.*

Mr. *T. Higgins.*

2608. You know Kirwan, of course, perfectly well?—What Kirwan do you mean?

2609. The pawnbroker?—I did not know him perfectly well; I do not know him perfectly well now.

2610. You do not know him by sight?—Not exactly.

2611. You did not know him at the time of the election?—I think not.

2612. Are you not sure of it?—I am not very sure; I do not reside in Galway, I reside 16 miles from it; it is very possible that I know him.

Mr. *Montagu Chambers* stated that he should ask this Witness no questions.

[The Witness was directed to withdraw.

Mr. *Rodwell* said that he was about to call Mr. Henry Persse, whereupon a discussion ensued as to the purpose of Mr. Persse's evidence, and it transpired that it would have reference to an application for costs on behalf of Mr. Morris.

The *Chairman* said the Committee were of opinion that it would be more convenient to take the question of costs at the conclusion of the case, and Mr. Persse's evidence was deferred until then.

Mr. *Rodwell* stated that he had one or two witnesses that he could call, but he would take upon himself the responsibility of leaving the case as it was.

Mr. Serjeant *Ballantine* then made the following statement. He said that of course every Counsel was obliged to perform a certain duty to his client; but he was always also at liberty to exercise a certain amount of discretion. In the exercise of that discretion, he felt it consistent with his own position, and with the respect due to the tribunal before whom he had the honour of appearing on that occasion, not to keep up the case against Mr. Morris any longer. He considered that Mr. Morris had exculpated himself from all the charges made in the petition of Mr. Lever. At the same time, there was another application to come before the Committee from Mr. Rodwell, upon which he would have to offer some

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observations; and to justify, as he should be able to do, the presentation of the petition by Mr. Lever. But, under the circumstances, he felt that he ought not to allow a single moment longer to transpire without expressing the sentiments to which he had just given utterance.

Mr. *Rodwell* said, under those circumstances, he had nothing further to say upon this part of the case.

Mr. *Montagu Chambers* also stated, that he should inform his clients, who were not then present, that he also could not in justice and propriety persevere in the petition against Mr. Morris. Having that impression, he felt it to be his bounden duty to act in accordance with his conviction. His belief was that he had not been able to make out a sufficient case against Mr. Morris, especially after the evidence which Mr. Morris had just given, and he therefore took upon himself the responsibility at any cost, of withdrawing on behalf of his client, from any further proceedings against Mr. Morris.

Mr. *Rodwell* was about to proceed with his application for costs, when ——

Mr. Serjeant *Ballantine* objected to the case of Mr. Morris being completely disposed of, until the case against Sir Rowland Blennerhassett had been heard.

Mr. *Montagu Chambers* was heard in support of the objection.

Mr. *Rodwell* was about to reply, when——

The *Chairman* stated, that the Committee felt it unnecessary to call upon Mr. Rodwell for any reply, for after what had occurred, they considered that the time had arrived when they should dispose of the question of costs.

Mr. *Rodwell* then said, that he would not add to the observations he had already made upon this question, but would leave the matter in the hands of the Committee; except the reply he should have to make to any observations that might fall from either or both of his learned friends.

Mr. Serjeant *Ballantine* said he was unprepared then to review the whole of the evidence, which it would be necessary for him to do, for the purpose of showing that there had been substantial ground for the presentation of a petition, at least so far as to render an investigation necessary.

The *Chairman* stated, that as it was within ten minutes of four, and therefore so near the usual time of adjournment, the Committee would adjourn and proceed with the question of costs to-morrow.

[Adjourned to To-morrow, at Two o'clock.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

GALWAY TOWN ELECTION PETITIONS;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
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INDEX

TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

GALWAY TOWN ELECTION PETITION.

(1866.)

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TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

GALWAY TOWN ELECTION PETITION.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
17 *May* 1866.

274—I.

Under 2 *oz.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

HARWICH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
3 *May* 1866.

Friday, 27*th April* 1866.

NAMES of the Select Committee appointed to try and determine the matter of the Petitions complaining of undue Election and Return for the Borough of Harwich:—

Richard Armstrong, Esq.	Kirkman D. Hodgson, Esq.
John Floyer, Esq.	John W. Huddleston, Esq.

GATHORNE HARDY, Esq., Chairman.

Monday, 30*th April* 1866.

Ordered, THAT the Petitions relative to the said Election be referred to the said Committee.

Ordered, That the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Eleven of the clock.

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REPORT.

HARWICH ELECTION COMMITTEE.

Wednesday, 2d May 1866.

THE HOUSE informed, that the Committee had determined,—

That Henry Jervis White Jervis, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich.

That John Kelk, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich.

The House further informed, that the Committee had unanimously agreed to the following Resolutions:—

That Henry Jervis White Jervis, esquire, was not disqualified to be elected and serve in this present Parliament by reason of holding an office or place of profit under the Crown, created since the passing of 6 Anne, c. 7, nor as a deputy or clerk in the office of Her Majesty's Principal Secretary of State for War, within the meaning of 15 Geo. II.

That no evidence of acts of bribery or undue influence exercised by the said Henry Jervis White Jervis, esquire, and John Kelk, esquire, has been laid before the Committee.

That no agreement between the said Henry Jervis White Jervis, esquire, and John Kelk, esquire, was made before the Election that the said Henry Jervis White Jervis, esquire, should unduly use the influence of himself and the Great Eastern Railway Company with and over Voters of and in the Borough of Harwich in favour of the said John Kelk, esquire; and that the said John Kelk, esquire, should, in consideration thereof, pay and bear the expenses of and attending the Election of the said Henry Jervis White Jervis, esquire, or any portion thereof, as alleged in the Petition of John Burt and others.

That the Petition of the said John G. K. Burt and others against the said Henry Jervis White Jervis, esquire, and John Kelk, esquire, is frivolous and vexatious.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 1*st May* 1866.

MEMBERS' names called over;—All present.

The Committee agreed to the following Preliminary Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party under 11 & 12 Vict c. 98, the question must be raised immediately after the decision on that particular case; unless the Committee shall otherwise decide.

3. That the Committee expect that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member or his agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered to do so.

4. The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. That with respect to treating, the Committee will expect Counsel to state the times, and places, when such treating is alleged to have taken place.

6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to be subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. That no person shall be examined as a witness who shall have been in the room during any of the proceedings, with the exception of the agents, whose names shall be handed in, without the special leave of the Committee.

9. That the Committee will only allow one Counsel to address them on opening the case, and one on the summing up.

10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. That if the leading Counsel are not prepared to sum up the case on either side, when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel, who may be absent.

Two Petitions from *Michael Wills* were read, alleging that Major *Jervis* held an office of profit under the Crown.

Counsel for the Petitioner:—Mr. *Phinn*, Q.C., Mr. *FitzJames Stephen*, and Mr. *Philbrick*.

Agents:—Messrs. *Wyatt and Metcalfe*, and Messrs. *Sorr & Co.*

A Petition read from certain Electors, alleging bribery and undue influence against both the Sitting Members.

Counsel for this Petition:—Serjeant *Ballantine* and Mr. *Haley*.

Agents:—Messrs. *Wyatt and Metcalfe*, and Messrs. *Sharn and Roscoe*.

Counsel for the Sitting Members:—Mr. *Rodwell*, Mr. *Henry James*, and Mr. *Wolferston*.

Agents:—Mr. *Cobbold* and Mr. *Pladgate*.

CASE FOR THE PETITIONER.

Mr. *Phinn* was heard on behalf of the two Petitions of *Michael Wills*, alleging that Henry Jervis White Jervis, Esq., was disqualified from being elected, on the ground that he held an office or place of profit under the Crown, to wit: the office of Assistant Superintendent of the Royal Small Arms Establishment in London; and called the following Witnesses:

(The Shorthand-writer was sworn by the Chairman.)

Richard Naylor, sworn; examined by Mr. *Phinn*; produced writ and return, and handed in two Poll-books for the last Election for the Borough of Harwich.

Lord *Hartington*, a Member of the House, and Secretary of State for the War Department, sworn; examined by Mr. *Phinn*; cross-examined by Mr. *Henry James*; re-examined by Mr. *Phinn*.

A Green, sworn; examined by Mr. *Phinn*; produced correspondence and other documents from the War Office.

Mr. *Phinn* stated that closed the case for the Petitioners.

Mr. *Henry James*, on behalf of Captain *Jervis*, called.

CASE FOR THE SITTING MEMBER.

Henry J. W. Jervis, sworn; examined by Mr. *Henry James*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Henry James*.

Right Honourable General *Peel*, a Member of the House, sworn; examined by Mr. *Henry James*; cross-examined by Mr. *Phinn*; re-examined by Mr. *Henry James*.

The Committee informed the parties "That they were unanimous in the opinion that the office of Assistant Superintendent of Small Arms is not an office or place of profit under the Crown."

[Adjourned to To-morrow, at Eleven o'clock.

Wednesday, 2d May 1866.

Members' Names called over;—All present.

Serjeant *Ballantine* was heard to open the case on behalf of the Petition of certain Electors, alleging undue influence to have been exercised by the Sitting Members; and called the following witnesses:

John Blackman Owen, sworn; examined by Mr. *Clerk* and by Mr. *Hayley*; cross-examined by Mr. *Henry James*.

George Bidder, sworn; examined by Serjeant *Ballantine*; cross-examined by Mr. *Henry James*; re-examined by Mr. *Clerk*.

William Henry Shaw, sworn; examined by Mr. *Clerk*; cross-examined by Mr. *Henry James*.

Robert Sinclair, sworn; examined by Mr. *Clerk*.

Mr. *Clerk* stated that that closed the case for the Petitioners.

Mr. *Henry James*, on behalf of the Sitting Members, called *John Kelk*, sworn; examined by Mr. *Henry James*; cross-examined by Mr. *Clerk*.

Henry J. W. Jervis, sworn; examined by Mr. *Henry James*; cross-examined by Mr. *Clerk*

Mr. *Clerk* stated that he should not proceed with the Petition.

Mr. *Henry James* applied to the Committee to decide that the Petition of John G. K. Burt and others, was "frivolous and vexatious."

Mr. *Clerk* was heard in reply.

Room cleared. Committee deliberated.

Resolved, "That Henry Jervis White Jervis is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich."

Resolved, "That John Kelk is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich."

The Committee further Resolved,—

"That Henry Jervis White Jervis was not disqualified to be elected and serve in this present Parliament by reason of holding an office or place of profit under the Crown, created since the passing of 6 Anne, c. 7; nor as a deputy or clerk in the office of Her Majesty's Principal Secretary of State for War, within the meaning of 15 Geo. II.

"That no evidence of acts of bribery or undue influence exercised by the said Henry Jervis White Jervis, Esquire, and John Kelk, Esquire, has been laid before the Committee.

"That no agreement between the said Henry Jervis White Jervis, Esquire, and John Kelk, Esquire, was made before the election that the said Henry Jervis White Jervis, Esquire, should unduly use the influence of himself and the Great Eastern Railway Company with and over voters of and in the Borough of Harwich in favour of the said John Kelk, Esquire; and that the said John Kelk, Esquire, should, in consideration thereof, pay and bear the expenses of and attending the election of the said Henry Jervis White Jervis, Esquire, or any portion thereof, as alleged in the Petition of John G. K. Burt and others.

"That the Petition of the said John G. K. Burt and others, is 'frivolous and vexatious.'"

Parties called in, and informed of the above decisions.

Ordered, To report the above Resolutions to the House.

MINUTES OF EVIDENCE.

LIST OF WITNESSES.

Tuesday, 1*st May* 1866.

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MINUTES OF EVIDENCE.

Tuesday, 1st May 1866.

MEMBERS PRESENT:

Richard Armstrong, Esq.	Kirkman D. Hodgson, Esq.
John Floyer, Esq.	John Walter Huddleston, Esq.

GATHORNE HARDY, Esq., in the Chair.

The Petition of Mr. *Wills* complaining of an undue return for the Borough of Harwich, was read.

Mr. *Phinn*, Mr. *Fitzjames Stephens*, and Mr. *Philbrick* appeared as Counsel for the Petitioner.

Messrs. *Wyatt* and *Metcalfe* and Messrs. *Torr* appeared as Agents.

Mr. *Henry James* and Mr. *Wolfestone* appeared as Counsel for the Sitting Member; Messrs. *Cobbold* appeared as Agents.

The Committee-room was cleared.

After a short time the Counsel and parties were called in, and informed by the Chairman that the Committee had passed the usual resolutions.

Mr. *Phinn* was heard to open the case on behalf of the Petitioner.

Mr. James Richard Naylor was called in; and, having been sworn, was Examined by Mr. *Philbrick*, as follows:

Mr. *J. R. Naylor.*

1 May 1866.

1. You are the Clerk of the Crown office?—Yes.

2. Do you produce the writ and return for the last election at Harwich?—Yes.

3. And the poll book?—Yes.

The Right Honourable the Marquis of Hartington was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

Right Hon. Marquis of *Hartington.*

4. Your Lordship is a Member of this House, and you are Secretary of State for War?—Yes.

5. I believe you served first as Under Secretary of State for War?—I did.

6. When did your Lordship assume that office?—In April, I think, 1863; about April, but I am not sure.

7. At the time you assumed office, were there certain manufacturing establishments, a factory at Enfield, with branch establishments at Birmingham and London?—Yes.

8. I believe that the principal superintendent of the small arms factory is Lieut. Colonel Dixon?—Yes.

9. Who was the Deputy Superintendent in London?—The Assistant Superintendent; I think his proper title is, was Major Jervis.

10. He was there in 1863?—Yes.

11. Did he continue so till the end of last year?—He did.

12. Where are the stations in London?—At Pimlico.

13. In the course of office, how were directions given to him?—They were given him by the Secretary of State through Colonel Dixon.

14. Who was, in point of fact, his immediate superior?—He was.

15. Were any orders addressed to Captain Jervis within your knowledge by the Horse Guards or the Commander in Chief, with reference to his duties of Assistant Superintendent?—No.

16. I believe you have had a great deal to do with the preparation of Estimates as Under Secretary of State for War?—I had.

17. What were the first Estimates that you had under your charge; were they 1863 and 1864, or 1864 and 1865?—1864 and 1865.

18. Then I will turn to those?—Those were not

Right Hon. Marquis of *Hartington.*

1 May 1866

not the first Estimates which I moved in the House of Commons.

19. Not the first you were conversant with?—No; of course I had to do with the expenditure of the money voted under the Estimates for 1863 and 1864, but not in their preparation.

20. Would you turn to page 134 of the Estimates, 1864 and 1865, and you will find the "Establishments continued at Pimlico. First assistant superintendent." That would be Major Jervis at that time?—Yes.

21. I find "regimental pay, 220 *l.* 10 *s.* 5 *d.*; extra pay, 350 *l.*; contingent allowance, 73 *l.*; lodging allowance, 54 *l.* 15 *s.*; servants' allowance, 18 *s.* 5 *d.*?—Yes.

22. Has your attention been directed to the Estimates of 1861 and 1862?—No.

23. Perhaps you will look at it. Your Lordship was a member of the House in 1861 and 1862?—I was.

24. You know the Estimates?

Mr. *James* said that that would not follow.

25. Mr. *Phinn.*] You know that those are the Estimates?—Yes.

26. You have 1861 and 1862 there?—Yes.

27. You will find there, "Royal Small Arms Factories and Establishments. Superintendent regimental pay of 326 *l.* 19 *s.* 7 *d.*; in addition, 500 *l.*; special allowance, 300 *l.*—800 *l.* Assistant superintendents, two at 350 *l.* each, and one at 250 *l.* Enfield, Millbank, and Birmingham. Regimental pay, one at 301 *l.* 2 *s.* 6 *d.* in addition, and two at 220 *l.* 10 *s.* 5 *d.* in addition." Then you will see at the bottom, "these officers receive, in addition to their civil salaries, the regimental pay of their ranks as officers of the Royal Artillery"?—Yes.

28. Has your attention been directed to the change in the phraseology between those Estimates and the Estimates of 1864 and 1865. You find that there is a note in 1864 and 1865?—My attention had not been directed to the change before.

29. What is the course when an officer is required to discharge those duties; is he paid by salary, or is there any application made to the Commander in Chief?—The Secretary of State for War informs the Commander in Chief that there is a vacancy in such an establishment, and requires him to recommend an officer; and if the Secretary of State concurs in the recommendation of the Commander in Chief, he appoints the officer; if he does not, he would state his reasons, and ask the Commander in Chief to recommend another.

30. In that case, when an officer is taken for duties of this character, is he usually allowed to receive his full pay?—I believe in all cases of establishments under the War Office, he receives his full regimental pay.

31. I see, under the establishments, there is a heading "civil establishments;" that is in 1861?—The form is quite altered since then.

32. These offices were in existence before the alteration of the form?—Quite so; it was considered that information could be given to the House of Commons in a more convenient mode, and in some particulars the form was altered.

33. Was the establishment changed from a civil to a military one?—I am not aware of any change.

34. The Commander in Chief recommends, but with whom is the appointment in these cases?—With the Secretary of State.

35. With whom would be the dismissal?—With the secretary also.

36. To whom would be addressed any claim for increase of salary?—To the Secretary of State.

37. And he would have to seek the concurrence of the Treasury?—Yes.

38. Are all the officers employed in small arms factories military officers?—No.

39. Some civilians are employed. Do you know Mr. Gunner?—Yes. I forget his exact title; Chief Inspector of Small Arms, I think.

40. He is a civilian?—Yes.

41. There is no regulation in the service, then, that a military officer should be selected for that purpose?—Not that I am aware of.

42. They are more conversant with arms generally, warlike arms, than civilians,—military officers?—Yes, I suppose so.

43. I do not know whether you have the Order in Council of 1855?—I have.

44. I may take it that that is the order set out in the report of the Committee of Military Organisation?—I have the Order in Council, dated the 6th June 1855.

45. I find there is no assistant superintendent provided by the Queen's Order in Council?—By that Order in Council?

46. Yes?—But I believe there was a subsequent order.

47. Have you that order?—No; I have not that order with me.

48. Have you seen the Order in Council for establishing the assistant superintendent, or was it done by an Order from the Treasury?—By an Order from the Treasury, I believe.

49. You have seen the letters from the Treasury?—I have.

50. First of all, have you a letter from Colonel Dixon of the 21st June 1858?—Yes.

Mr. *Phinn* said they would take the letters as read.

51. Then the next letter I have, is a letter of the 29th June from Mr. Drewry, superintendent at Enfield; have you that?—I have a letter of the 30th June 1858, from Colonel Dixon.

52. Have you the copy of the letter sent by Mr. Drewry on the 29th June?—Perhaps I may mention that there is a gentleman from the War Office who has brought all the papers.

53. Then I will not trouble you?—I have brought what I was asked to bring this morning.

The *Chairman* stated that the counsel for the sitting Member might look over the letters and see if they were correct.

54. Mr. *Phinn.*] I did not follow my question up about civilians. Sir William Armstrong held office?—Yes; Sir William Armstrong was superintendent at the gun factory.

Mr. *Phinn* said that was for the great arms; Colonel Dixon's appointment was for the small arms.

Cross-examined by Mr. *James.*

55. You have made yourself acquainted with the report to the House of Commons in July 1860, on military organisation?—I have read parts of it.

56. I ask you, do you agree with the report of the Committee that the Secretary of War is supreme over the whole of the army, as representing

senting the Crown?—I think I may say that I do, but it is a matter of opinion.

57. Your opinion is that the Secretary of War, as representing the Crown, is supreme?—I should, possibly, with some reservation, but I agree in the main with that report.

58. Even to the extent of being superior to the general or field marshal commanding in chief?—I think in most matters, perhaps I may say all, the Commander in Chief must obtain the concurrence of the Secretary of War before he can perform any act.

59. I may call your attention to the commission of every officer. The commission is countersigned by the Secretary of War?—Yes.

60. And you know that the officer is "to obey us," the Crown, "and any of the superior officers"?—Yes.

61. You would feel that every officer is compelled to obey your orders, as representing the Crown?—Yes.

62. Passing to this particular office, I presume that you are acquainted with the duties that have to be performed by Major Jervis?—I have a general acquaintauce.

63. Do I understand your answers to my learned friend to represent that the duties of this office could possibly be performed by a civilian?—Certainly, they might be performed by a civilian.

64. I will explain what I mean; are you aware, for instance, that Major Jervis is over the corps of Armourers Serjeants?—I believe that was one of his duties.

65. I ask you how the duty of the commands of officers over soldiers, subject to the Mutiny Act, could be performed, except physically, by a civilian?—That part of his duties, probably, it would be extremely inconvenient that they should be performed by a civilian.

66. I am not cavilling with words, but you are an authority in these matters; and I ask you, could it legally be performed by a civilian?—I am not aware whether it could legally or not.

67. In a military point of view, could you, as Secretary of War, appoint a civilian to command 80 soldiers, subject to the Articles of War? Let me remind you, that under the Articles of War "the commanding officer of every corps, at home or abroad, shall, on the first of every month, transmit to the Commander in Chief of our forces, and to our Secretary at War, an exact return of the state of such corps, specifying the names of the officers absent, and the reason for and time of their absence"?—Yes.

68. Now, as to the fact; you have had regular returns from Major Jervis, as commanding officer of the Armourers Serjeants?—I am not personally aware of that fact.

69. It is a matter of detail?—Yes.

70. I do not know whether the gentleman in the War Office can give us that information; or shall I say you have no immediate knowledge?—I have no immediate knowledge; but you could easily obtain the evidence from the War Office.

71. I may ask you this; did you ever know of a civilian making such a return, when placed by accident or intentionally with men under him?—I am not aware of any case in which a civilian has exercised any functions of command over men under the Mutiny Act.

72. Are you aware of the other duties actually performed by Major Jervis?—I have only a very general knowledge.

73. Of course they are duties confined to the management, as it were, of a portion of the Ordnance Department of the Army?—Generally, I should say, with his duty, devolves the superintendence of the corps of Inspectors of the Inspecting Staff, and the staff of workmen engaged in the repair of arms.

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74. As to the workmen engaged in the repair of arms, are you aware that the artillery corps, if stationed in a foreign garrison, have always to attend to the arms for regiments of the line?—What corps?

75. Supposing at any of our garrisons, at Malta, say, there were three regiments of the line and an artillery corps there, who would attend to the repairs of the arms of the regiments of the line as well as the artillery?—The armourers serjeants.

76. They are a corps now under the command of Major Jervis?—They are under his command.

77. May I ask you, if this be a civil appointment, did you ever know a civilian subject to regimental orders?—No, I am not aware of it.

78. May I ask you also, as a matter of opinion, did you hold that you had power to order Major Jervis at any time that you thought right to rejoin the depôt of his brigade?—The Secretary of State would have had power to remove him from the office which he was then holding, and to return him to his duty.

79. Without anything approaching notice, or any reason, that you could command him to return to his duty?—Certainly.

80. And transfer him?—Yes.

81. I will take it as a matter of opinion; did you concede that Major Jervis could have refused to join his depôt from the factory at Millbank, if you had ordered him?—When appointed?

82. Yes?—You put it as matter of opinion?

83. I do. May I put this case to you; if you had communicated to Major Jervis, or his commanding officer, that he was to join the factory at Enfield or Millbank, and he had said, "I will not do so," what would have been his fate?—I do not know.

84. You do not see any prospect of his being shot, under the Mutiny Act; would you have allowed an officer to have taken that course towards you?—I am not aware of such a case ever having arisen, and I think it would be a very embarrassing one, and I am not prepared to say what would have taken place.

85. Embarrassing on both sides, to Major Jervis and to the authorities?—Yes.

86. Were you aware of the letter of the 19th July 1865 from the War Office, directed to the Superintendent of the Royal Small Arms Factory at Enfield?—What do you refer to?

87. Look at that letter (*handing a copy of the letter to the Witness*)?—Yes; I was aware of that.

Mr. *James* said he would undertake to prove this letter, and Lord Hartington had said that he was aware of it. It was directed to the Superintendent of the Royal Small Arms Factory, and dated from the War Office, and signed by General St. George. "Sir,—I am directed by Earl de Grey and Ripon to inform you that, with the concurrence of His Royal Highness the Field Marshal Commanding in Chief, he has decided upon putting in force the provisions

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of the Royal Warrant of 1858, limiting the term for holding staff appointments to five years, in regard to the officers of the Royal Artillery employed in the manufacturing departments. In accordance with this decision, your second term of service as Superintendent of the Royal Small Arms Department is regarded as having expired on the 15th of February last; but in consequence of the important changes in small arms now pending, Earl de Grey, with His Royal Highness's sanction, has appointed you Superintendent for a further term of five years from that date. The Assistant Superintendents of Small Arms at Pimlico and at Birmingham, having on the 1st January last held their appointments for five years, will be relieved of them; but as the Royal Warrant has not hitherto been rigidly acted upon, Earl de Grey is unwilling to expose these officers to the inconvenience which might be occasioned to them by being unexpectedly called upon to rejoin the regiment, and they will be permitted to remain in their present positions until the 1st of January next. In future, however, no notice of this kind will be considered necessary, as each officer is to understand that he will be removed at the expiration of five years from the date of his appointment. You will have the goodness to make the necessary communications to the officers concerned at your earliest convenience."

88. You were aware of that letter being written?—Yes.

89. Surely I may say you do not treat those officers as holding a civil appointment, or intended to do so?—I do not exactly see what the difference of the civil nature of it is.

90. May I not suggest this to you; where civilians are appointed to any office, without an absolute engagement being made for a particular term, do not you give them notice that they are to be relieved from the duties of that office before dismissing them?—Certainly.

91. May I take this as a fair example; a civilian doing the duty of a clerk in the War Office, you would not dismiss him without giving him reasonable notice, as we do in ordinary contracts between master and servant in ordinary life?—Certainly not.

92. You are aware, are you not, that there are many civil appointments connected with the army, held by officers, in which they receive extra pay?—Yes.

93. Whenever there is extra duty there is extra pay for it?—Yes.

94. Would you tell me, if you required an officer for any particular duty, such as to go as a commissioner to the head-quarters of a foreign army, what course you would take to procure that officer's service?—I should request the Commander in Chief to recommend an officer.

95. And you would appoint him?—Yes.

96. What would you call that duty. Would you call it a staff appointment?—The duty which you have just mentioned, I think, perhaps, would be called a special appointment.

97. It would be in the performance of a military duty?—Yes, I should say so.

98. And would come within the officer's commission, which you, as his superior officer, could command him to obey, and he would be bound to obey, the same as if he were ordered on foreign service; he could not refuse to obey, and keep his commission?—I should not like to express a positive opinion. I think it would be difficult to refuse, but I do not know whether you could try him by court martial.

99. An officer is bound to obey the commands of his superior officer, so long as they are military duties; there is no exception, and he cannot decline to obey them, and you told me the duties were military?—I should consider it to be a military duty, but I cannot certainly say that it is a military duty in the sense that you could try an officer for refusing to obey.

Re-examined by Mr. *Phinn.*

100. You have been asked your opinion a good deal, but I will ask you this: Is this a military or a civil appointment?

Mr. *James* objected to the question, and said it was one for the Committee to decide.

The *Chairman* thought the question one for the Committee.

101. Mr. *Phinn.*] Has it been treated as a military or a civil appointment?—It has been been called a civil appointment.

102. In the case of a military appointment, is there any distinction between civil pay and military pay in the Estimates?—In the case of a military appointment?

103. Yes?—In the case of a military appointment there is no civil pay.

104. Take a case of an officer employed on the staff at the Horse Guards, that would be military pay purely?—Military pay purely, and the additional pay which he receives for his staff duties, but they are shown in the Estimates separately.

105. With regard to the command of these armourer serjeants, are the armourer serjeants from different regiments of infantry sent to learn their duties?—They are a special corps of armourer serjeants.

The *Chairman* said he should like to see a letter of the 21st of June 1858.

Mr. *Phinn* said it was "that the lodging money be increased to 70*l.* a year, and the pay or salary, independent of the military pay, be 360*l.* per annum. This latter sum to include all travelling expenses between the Tower and Pimlico."

106. I do not know whether your attention has been directed to a letter so early as June 1858 (*referring to a letter*)?—Yes.

107. You see by that paragraph that the pay or salary, independent of the military pay, be 360*l.* per annum?—Yes.

108. Do you know of any such reservation in a purely military appointment?—In the case of a new staff appointment, or the alteration of duties in the staff appointment, the extra pay received by the officer would be stated distinctly, as distinguished from his regimental pay; it would probably be the word regimental, instead of military pay.

109. Did you ever use the expression of "salary," instead of military pay; in that case would "salary" apply to purely military officers?—I do not think it would apply, and I cannot say that I am aware of its being applied.

110. It is the pay or salary, independently of the military pay?—Yes.

111. I was

111. I was going to ask you about the armourer serjeants; are they a corps attached to the Royal Artillery, or what are they?—I cannot exactly explain the constitution of the corps, but a warrant could easily be got, and put in, which would show the nature and constitution of the corps.

112. With reference to the duties; are they ever looking after arms not merely of the army, but arms supplied to the navy, volunteers, and East India Company?—I presume that such of the corps as are employed in London would be employed on the repair of any arms that might be sent to us for repair.

113. For the volunteers or seamen?—Yes.

114. You supply the Navy with small arms?—Yes.

115. Now, my learned friend has asked you if there is extra duty; is not there generally always extra pay?—As far as I am aware, always.

116. Are there not military regulations, prescribing the extra pay for almost every conceivable case?—The rules of extra pay are laid down in the warrants.

117. For instance, if soldiers are employed in road-making, or matters of that kind, there is a stipulated extra pay?—There is what is called working pay.

118. My learned friend asked you some questions that rather depended on the question you asked in the House this year. In point of fact, I think the Secretary of War does not interfere with the discipline of the army, such as the mere ordering of officers to join regiments, or going for leave, and so on?—Under ordinary circumstances he does not.

119. Mr. *James.*] You, as Secretary of State for War, are aware of the performance of military duty of officers, and that they have been frequently employed as interpreters at head quarters. Take, for instance, Lord Raglan's head quarters, in the Crimea; officers were employed as interpreters on the staff?—I am not aware of it in my personal knowledge.

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120. As to such departments as interpreters on the staff, have you not known the word "salary" used; "employed as an interpreter, with a salary"?—It may be so, but I am not aware of it.

Mr. *James* said he had to make an application respecting a document which they were anxious to prove, from the Adjutant General's Office; and he understood that the Deputy Adjutant refused to appear without an order from the Committee.

Mr. *Phinn* said he would not trouble Mr. James to produce the original, but would admit a copy.

The *Chairman* said he had a document put into his hand with reference to the Speaker's warrant entering the War Office, and that they had some difficulties about that.

Mr. *Phinn* said it was agreed that they were to admit any letter that would serve either side.

The *Chairman* said the learned counsel might tell the Committee which they were.

Mr. *Phinn* stated that the first letter was a letter from Colonel Dixon, of the 21st of June 1858; then there was a letter of the 29th of June 1858, by Mr. Drewry. Then there was a letter of the 30th of June, and then the next letter was a letter of the 26th of July 1858, from Mr. Bacon to Colonel Dixon.

Mr. *James* wished to know who Mr. Bacon was.

Mr. *Phinn* replied he was a clerk in the War Office, but he would write on a minute from his superior.

Mr. *James* said he could not assume that.

Mr. Henry A. Green was called in; and, having been sworn, was Examined by Mr. *Phinn*, as follows:

121. You are a Clerk in the War Department?—Yes.

122. Were you there in July 1858?—Yes.

123. Do you know who Mr. Bacon is?—He was then assistant chief clerk.

124. Does he sign in the absence of the chief clerk?—Yes.

125. He would be the official person recognised in the office?—Yes.

126. Who would write the minute upon which the letter is made?—As an ordinary rule, one of the clerks of the department to which that particular business would fall; he would address it to one of the heads of department, from whom it would come to the Secretary or the Under Secretary.

127. When the minute is approved, the letter is written by Mr. Bacon, or whoever is there?—Yes.

Mr. *Phinn* said the next letter was from Colonel Dixon of the 11th November 1858 to Mr. Drewry; then there was one from Sir Benjamin Hawes of the 23d November 1859, with a statement annexed; then there was a letter missing of the 1st December 1859.

The *Chairman* said the contents were embodied in a letter of the 5th September.

Mr. *Phinn* said they were.

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The *Witness* handed in the letter of the 1st December.

Mr. *Phinn* said the next letter was the 24th January 1860, and he supposed they might take the Estimates as in, and the reports of the military organization, and then must put in the pay sheets.

The *Chairman* said there was a letter of the 1st March, and another of the 10th March 1860, and he wished to know whether they were going to put them in.

Mr. *Phinn* said he was, and one of the 29th December 1850; and he wished to know whether the other side would admit Captain Jervis's handwriting.

Mr. *James* said he would.

Mr. *Phinn* said he would hand in Captain Jervis's receipt for the quarter ending 30th September 1865, which covered the period of the election.

Mr. *James* said it was, "Account of Pay and Allowances due to the undermentioned Officers of the Staff stationed at Small Arms Depôt, Pimlico;" and then it went on to say, "I certify that the officers above mentioned have been employed for the period specified against their names, and that they are respectively entitled to the pay and allowances stated,

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stated, and that the leave of absence is in each case correctly stated."

The *Chairman* wished to know who signed the certificate.

Mr. *Phinn* said it was signed by Arbuthnot.

The *Witness* said Arbuthnot was major of the Artillery, and succeeded Major Jervis.

Mr. *James* said he seemed to have received the money and certified to it. He was temporarily doing duty for Major Jervis then.

128. Mr. *Phinn.*] Do you know how this pay is issued?—Not to my own personal knowledge.

129. Who could tell us that?—Some one from the Accountant General's branch.

The *Chairman* wished to know whether it was the usual printed form.

130. Mr. *Phinn.*] Yes. Is there any gentleman here from the Accountant General's Office?—No; it was assumed that the pay sheets would be sufficient.

131. Perhaps you can tell us the course of office; how is the regimental pay and this emolument issued; I will not use the disputed word?—I do not understand.

132. As an officer of this corps, how does he draw his pay?—Through his agents, as a rule.

133. And these extra emoluments, how are they paid?—He would draw both in the same way.

134. Are they doth mixed there?—Yes, I think so.

The *Chairman* said the gross total was 105*l.* 18*s.*

Mr. *Phinn* said that would be 420*l.* a year, which would be the 350*l.* and the 70*l.*

The *Chairman* said that was the pay and allowances to the officers of the staff.

Mr. *Phinn* said that would not be his regimental pay.

The *Chairman* presumed that was the ordinary form that was handed in.

Mr. *Phinn* said it was, and how old the form was Captain Jervis could tell them.

The *Chairman* said it was a War Office form, 1377.

Mr. *Phinn* said it was a War Office form.

135. I think the War Department are different from some of the departments; they pay within themselves; you do not go to the Pay Office?—We are paid by the Paymaster General.

136. At the Pay Office?—Yes.

137. You send in your quarterly sheet?—Yes; we receive a receipt, which we take to the Pay Office, and receive it.

Mr. *Phinn* said that was his case.

Mr. *James* said he might submit that there was no case; but perhaps, as it was novel, he might add some facts to the case, and then make his observations afterwards.

Major JERVIS was called in; and, having been sworn, was Examined by Mr. *James,* as follows:

Major *Jervis.*

138. YOU are now sitting Member for the Borough of Harwich?—I am.

139. What is your rank as an artillery officer?—Captain in the Artillery.

140. Brevet major?—Brevet major in the Army.

141. Up to the year 1856, I believe you performed the ordinary duties of an artillery officer?—Till the year 1854.

142. What position were you placed in in 1854?—During the year 1854 I was ordered to serve on a committee for the improvement of small arms; and in the year 1855 I was ordered to America on the part of the Board of Ordnance.

143. When in America did you, or not, receive extra pay?—I did.

144. In the year 1856 did you receive orders to attach yourself to any particular station?—I received orders from the Adjutant General of Artillery to report myself to Colonel Dixon at Enfield for duty at Birmingham. They were the regimental orders in the regimental book, and besides that there was a letter from the Adjutant General.

145. You have a letter of the 19th July from Colonel Bingham?—I have got that. I got it from the Horse Guards.

146. Is that a copy of the original you received (*handing a letter*)?—Yes.

147. Mr. *James.*] It is a letter from Colonel Bingham, then Deputy Adjutant General?—He was.

Mr. *James* said it was headed, "Adjutant General's Office, Royal Artillery, Woolwich. I am directed to acquaint you that Lord Panmure has selected you for employment at Birmingham, under the Superintendent of the Royal Small Arms Factory at Enfield, for a period of six months, and I am to request you will report yourself to Lieutenant Colonel W. M. Dixon, R. A., accordingly.

"You will be paid, whilst so employed, at the rate of 200*l.* per annum, and 50*l.* per annum lodging-money.

"I have, &c.

(signed) "*Charles Bingham,*

"R. A. G."

148. I believe, at that time, there was a general regimental order, dated the 18th July 1856, "Captain Jervis to be employed at Birmingham, Royal Small Arms Factory, till further orders"?—There was.

149. To whom did you report yourself?—To Colonel Dixon, at Enfield.

150. He is your superior officer in the Artillery corps?—He is.

151. Did you receive orders from Colonel Dixon, verbal orders to proceed to Birmingham?—Yes.

152. With the exception of this letter from Colonel Bingham, and the verbal orders, did you receive any warrant of appointment?—None whatever.

153. That regimental order is the one that has been in your hands and certified?—Yes.

154. Colonel Bingham, as Deputy Adjutant General, to whom did he report?—The Lieutenant General of the Ordnance.

155. The office had been abolished, and the duties continued till arrangements were made?—The Adjutant's office had been transferred from Woolwich to London, under the Commander in Chief.

156. Does it exist now?—No.

157. When was that?—It was merely temporary, during the time the Lieutenant General of the Ordnance was abroad.

158. That has ceased?—Yes.

159. Colonel

159. Colonel Bingham was acting as your superior officer, then?—Yes.

160. When you obeyed Colonel Dixon's orders, you proceeded to Birmingham?—Yes.

161. What were your duties at Birmingham?—My duties were to take charge of a small detachment of artillery, for the purpose of seeing all the rifles that were brought into the service, and seeing that no weapons were admitted that were not up to the mark.

162. I presume those duties could be performed by a civilian, just as a civilian could fight in battle, but they were duties peculiar to an artillery officer?—It is a part of their education.

163. How long did you continue in performance of those duties?—Twelve months.

164. Where were you transferred to?—I was ordered to proceed from Birmingham to Enfield.

165. By whom were you so ordered?—By the regimental orders.

166. Was that a regimental order of the 19th August 1857?—It was.

167. At the time of the removal, had you any other order for the Secretary of State for War on any warrant at all, save the order contained in this regimental order of the 19th August 1857?—None whatever.

168. Were you under the orders of your superior officer, Colonel Dixon?—I was.

169. How long did you continue at Enfield?—About 12 months.

170. That would bring us to 1858. I presume that is the period represented by the letter of the 26th July 1858?—I think on proceeding to Enfield I was informed that I was to hold myself in readiness to proceed to London, but that did not take place till 12 months afterwards.

171. As to this, were you consulted as to your willingness to take office, or had you your orders?—I received my orders to obey them the same as I should obey other orders.

172. When you were sent to Birmingham, was it inconvenient to you or against your will?—It was against my will to go to Enfield, and against my will to go to London.

173. As to your transfer to London, what direction did you receive?—I received a memorandum from Colonel Dixon for my guidance, and I have it here.

> Mr. *James* states that it was a document headed "Memorandum, 2d August 1858, to Captain Jervis, Royal Artillery," and signed "M. Dixon." "The duties of conducting the small arms department at the Tower of London and Thames Bank under the immediate direction of the superintendent of the Royal Small Arms Factory, being confided to Captain Jervis, R.A., that officer will enter upon those duties immediately by reporting to the superintendent the date when he quits his present residence to assume the above charge. The duties of the above department are purely of an executive character, but the creation of the new corps of armourer serjeants necessitating the continued presence of a military officer, the Secretary of State for War, on the recommendation of the superintendent, has sanctioned the employment of an officer of the Royal Artillery for those duties. As the store of materials for setting up arms are in charge of the principal military storekeeper at the Tower of London, the superintendent will arrange in his office, as at present, for the proper issue and distribution of these materials, and a statement will be forwarded to Captain Jervis of each distinct transaction for his information and guidance. Captain Jervis will, therefore, consider his duties to consist of, first, the charge under the superintendent of all the persons employed in the two departments connected with the view and reception, repairs of arms, and instruction of armourer serjeants according to the general system which at present prevails. Second, the ensuring of a diligent execution of all the work entrusted to the above viewers, artificers, &c. Mr. Gunner, the inspector of small arms for all the small arms factories, will be responsible for the quality of work received or executed at the above establishments, and will at once draw the attention of Captain Jervis to any irregularity on this head which may come to his notice, reporting the same to the superintendent. Mr. Gunner will arrange with the officer in charge of the London district for visiting the workshops periodically for the express purpose of inspecting the work and giving the benefit of his experience and practical knowledge to that officer.

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174. Here, I see, Colonel Dixon uses the phrase, "The charge under the superintendent of all the persons employed in the two departments connected with the view and reception, repairs of arms, and instruction of armourer serjeants, according to the general system which at present prevails." In relation to the armourer serjeants, what is the instruction; is it a military system?—The head quarter depôt is where they receive instructions such as require to be carried out in the various regiments.

175. Was it on this document, and this alone, that you entered on your duties in London?—That is the only document I have ever received.

176. Will you state what your duties were in London?—My duties were military; it was the charge of the corps of armourer serjeants, and our head quarters were at Millbank.

177. Tell us what the armourer serjeants are; how they are constituted?—It was a corps formed in 1858, for the purpose of submitting armourer serjeants to a discipline previous to joining the regiments. Previously to that, they were generally recruited at random; by taking a mechanic, for instance.

178. What rank do they hold?—It is an independent military corps, created by Royal Warrant.

179. Are they entirely under your command?—Entirely under my command, as representing Colonel Dixon.

180. And liable to court-martial?—They were so treated on several occasions.

181. Subject, therefore, to the Mutiny Act and the Articles of War?—In every sort of way, and every permission had to be sanctioned by the Commander in Chief.

182. Was there any difference at all in their position towards you than there would be in the ordinary course of a private towards his superior officer?—None whatever.

183. Exactly in the same position?—Yes; it consisted of privates and serjeants.

184. The man had to be a private, and has a serjeant over him?—Yes, and then he gets promoted to serjeant before he joins the regiment.

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185. Then he joins the regiment?—Yes; he is merely attached to it; he still belongs to the original corps.

186. Those returns which you have heard me refer to, which are required by the Articles of War, and which apply to all corps; did you make those returns from time to time?—I made them the same as in any other company I should have been doing duty in; the pay lists, muster-rolls, and everything else.

187. It is, "Every commanding officer shall state upon the monthly return of the regiment under his command, whether all the non-commissioned officers and soldiers of the regiment are in possession of the said books, and whether the orders on this head are properly attended to." Did you make those returns?—Yes.

188. "And the commanding officer of every corps at home and abroad shall, on the 1st of every month, transmit to the Commander in Chief of our forces and to our Secretary of State for War an exact return of the state of such corps, specifying the names of officers absent, and the reason for and time of their absence." Those returns you made also?—Yes.

189. May I ask you also, was there a military savings bank kept?—There was.

190. I may also ask you, did you enlist these men as ordinary soldiers by the authority you received from the adjutant general of the recruiting department?—Yes.

191. The recruiting department for the whole army?—For the London district.

192. You had that authority direct from him by letter which you have of the 16th April 1862?—Yes, in the name of the adjutant general.

193. Will you now take up the other duties that you had to perform?—The other duties were superintending chiefly the discipline of the artificers employed along with the corps in the general repair of arms, and also as to the proper carrying on of the view of arms received from the Tower of London.

194. Were there any other duties?—For some time I had to superintend the repair of arms to a large extent at Weedon, but that was merely temporary.

195. These were connected with that material of war or connected with arms to be used?—Entirely so.

196. With respect to your leaving this position, was that certified to you in the same way that your appointment had been made by a regimental order?—By a letter from Colonel Dixon, or a copy of a memorandum stating that the Secretary of State for War had decided that there should be a change in the officers then employed. It was about the 18th or 19th July.

197. You say it was communicated to you?—It was merely forwarded to me to acknowledge.

198. Mr. *James* said he had read a letter of the 19th July 1865, in which it was stated, at the end of the five years the officers were to be relieved. That was from General St. George to Colonel Dixon, and it was forwarded to Captains Varlow and Jervis for their information, to be returned, and it was signed Wm. F. Dixon, and this "noted at Pimlico and returned"?—Yes.

199. Is that the only notification you received?—Yes.

200. There is one question I wish to ask you. Are you acquainted with the duties of the Artillery Corps, in relation to the repair of arms, if stationed abroad there with regiments of the line?—There have been a lot of inspectors of stores appointed at our principal stations at home and abroad, in which they carry out the general repairs of warlike material.

201. Are they generally appointed from military officers?—The whole of them.

202. If the arms of a regiment at Malta wanted repairing, who would repair them?—The armourer serjeant; but if any difference arose with the armourer serjeants, it would be referred to the inspector of warlike stores.

203. They are the Artillery?—They are.

204. Substantially, your duties have been the same at all the three places where you have been stationed?—More or less, the same.

205. Upon receiving this communication from your superior officer, did you return to your regiment?—I had to wait till I was relieved; I had to wait till the 1st January this year.

206. Then you returned to your regiment?—There was no vacancy at that moment for any battery, and I had to wait three weeks.

207. During your absence from your regiment, technically, is your post what is called seconded?—That depends. Colonel Dixon's is not, there being plenty of full colonels; but mine was. Somebody was required to command the battery.

208. It was not filled permanently, but an officer was appointed for seconding your post?—Yes.

209. You have remained upon full pay in your regiment during the whole of this period?—Yes, receiving in addition the extra pay.

210. There is always extra pay fixed for extra duties?—Yes.

211. I should like your commission formally to be put in?—That is the one upon which I was acting the last few years (*referring to the commission*).

212. When were you first elected for the borough of Harwich?—1859; the month of March, I think.

213. And you have sat in the House of Commons from that time?—Yes.

214. And no objection taken to you till this occasion?—None whatever, of any kind or description; not even the slightest whisper.

215. Then you had the good fortune to have a member of the legal profession to stand against you, and the point was taken?—Yes, I believe he is.

Cross-examined by Mr. *Phinn.*

216. You were instructor at Enfield?—Yes.

217. You continued instructor, under the denomination of instructor, until you came to London?—Sometimes as instructor, and sometimes as inspector.

218. Did you receive for your information and guidance from the War Office, a letter of the 24th January 1860?—I did.

219. Have you got a copy of the official communication to you, the information communicated to yourself?—No; I had merely to acknowledge it in the same way as the other documents.

220. From that time you were called the assistant superintendent of small arms?—The names of the artillery officers in that department had changed.

221. You were the artillery officer there?—Yes.

222. You had these armourer serjeants under your control?—Yes.

223. Was

223. Was that by virtue of your commission as an officer of Artillery?—Certainly.

224. They were not attached to the corps of Artillery?—They were under the command of a military officer, and it did not matter whether it was an Artillery officer or an officer of the line.

225. They were not men attached to the regiment of Artillery in any way?—It is an independent corps entirely.

226. Before you were attached to this small arms business, did you ever receive any order except through your superior officer in the regiment of Artillery?—Yes.

227. Who from?—Whoever was the commanding officer at the station I was at; whoever was the senior officer is the commanding officer.

228. If you were in a garrison where the senior officer was a colonel of the line, he would transmit his orders through your immediate superior officer to you?—No. I have often been my own commanding officer.

229. Have you ever received instructions from the Secretary of State for War, as regimental officer?—I believe all the instructions are supposed to emanate from the Secretary of State for War.

230. You never received them as emanating from the Secretary of State for War?—I have never received any instructions from the Secretary for War, not direct.

231. Supposing the War Department has any cause to find fault with the conduct of the establishment in London, who is the person to inspect, and that sort of thing; is it Colonel Dixon?—Yes, certainly.

232. You received, during all this time, no instructions from your commanding officer of Artillery?—I looked upon Colonel Dixon as my commanding officer of Artillery.

233. Does it not sometimes happen that it may be an engineering officer, and in that case you would have equally obeyed him, I suppose?—Certainly, as long as he is my superior military officer.

234. With reference to those men you had certain duties connected with them, and you had other duties, I suppose, separate from your command of them. What had you to do with reference to the small arms yourself?—They were all part and parcel of the same thing, because the corps of Armourer Serjeants were employed to repair the arms, and extra artificers were employed because there were not enough armourer serjeants.

235. Had you anything to do with the bringing in of new arms?—That was the view of arms at the Tower.

236. Nothing to do at Pimlico, at Birmingham, or at Millbank, but repairs?—Nothing but repairs.

237. Besides the armourer serjeants, had you artificers?—Yes, and they depended upon the proportion, and according to the number of armourer serjeants that we had.

238. They were civilians?—Yes.

239. Had you clerks under you?—Yes.

240. Were they civilians?—Some were, and some were not.

241. Who appointed the clerks?—The Superintendent of Small Arms appointed some, and the War Office deputed others.

242. So that you had both civilians and military under you?—Yes, both.

243. You knew of no such office of appointment, till 1860, as Assistant Superintendent of Small Arms?—It was an old title in that branch merely revived, in order to make a distinction with respect to the Inspector of Small Arms, who was a civilian.

244. When did you first know of the Assistant Superintendent of Small Arms?—The assistant was a civilian many years before.

245. When did it terminate?—I do not know when it terminated.

246. It only began when the Government department was established at Enfield?—It began first of all in the Arsenal; I think, at Woolwich. It was chiefly done to make a distinction between the heads of the department and the police.

247. Had you a civilian, Mr. Gunner?—Yes.

248. Were you under his orders or he under yours?—Neither one nor the other. His duties were independently of mine.

249. Had he to inspect the work of your men?—He had to inspect, from time to time, the work that was done, to see that it was properly done.

250. Supposing he had reason to find fault with the way in which the work was done, what would have been his course?—He would have reported that to Colonel Dixon.

251. Would not he have communicated to you?—He would not have found fault with me.

252. He might have found fault with the operation?—Then his duty would have been to communicate that to Colonel Dixon.

253. Not to you?—He would not have done his duty, I think, if he had, without instructions.

254. You had a change in your emoluments after 1860, I think?—It was in 1858, but the statement shows that there had been nothing taken in the estimates; the matter would be done in the ensuing year.

255. Up to the year 1860 you had not received so much as 420 *l.* a year, independently of your pay?—Very nearly.

256. I thought you had 200 *l.*?—That was raised. If you want to know the details I will tell you. I had a contingent allowance as being in charge of a company. I had military lodging money according to my rank, and servants' allowance according to my rank, 1 *s.* a day, not much, and the rest extra pay.

257. You were a Member of the House of Commons from 1859 to 1865?—Yes.

258. Was your attention at all directed, or had you the curiosity to look at the statement of your own emoluments at the time?—I have observed with great attention the improved way in which the estimates are now made out, all under one head instead of being separate. These figures were generally put in different ways, lodgering money one item, servants another, Artillery pay another, and extra pay a fourth.

259. Had your attention been directed to the marginal notes with reference to this, "Officers receive in addition to their civil salaries the regimental pay of their ranks as officers of the Artillery?—Every officer in the estimate is voted that pay, whether he is musketry instructor, or assistant superintendent.

260. Had you seen that marginal note that these officers receive additional pay?—In 1861 and 1862 I did not see it.

261. You took part in the discussions?—Very likely, but one does not observe sometimes very closely.

Major *Jervis.*

1 *May* 1866.

262. Did you observe the note?—If I had, I should have seen nothing peculiar about it.

263. I find 1859 and 1860, that is the first year after you became a Member of this House, the note is this, "Officers receive in addition to their civil salaries the regimental pay of their ranks as officers of the Royal Artillery?—That is merely a crooked way of making one salary out of the whole thing.

264. Was not your attention directed to it?—No.

265. Never?—I cannot say.

266. Did you read it?—I cannot say that I did.

267. You do not mean to say you heard it here for the first time?—I do not know that I have heard anything except that it is put down in two separate votes.

268. These emoluments of 420 *l.* are shown due on this pay sheet?—It is.

269. How do you draw your regimental pay?—Through the Artillery agents; a portion of that 350 *l.* a year consisted of military lodging money and allowance for servants.

270. That was distinct from the military pay which you drew through the agents?—There has been a great change within the last few years, and I think the army agent is the only one that is kept up, and that pay is paid through them.

271. Is the regimental pay paid through the army agents?—No, a great many through the paymasters.

272. That is within the last year or two?—No, I think the change took place within the last six or eight years.

273. I do not find any distinction as to the civil salary and military pay with regard to musketry instructor?—You will see the pay in addition to half-pay, or if it is not half-pay it is full pay. Here is a list of the different officers performing duties besides regimental duties (*handing a document to the learned counsel.*)

274. You are designated in this appendix to report as an officer in civil employment, with Colonel Tulloh and others?—Sometimes they call it one thing and sometimes another.

275. In the Ordnance regulations they are termed military appointments. That is merely a return of the War Office clerk.

Re-examined by Mr. *James.*

276. My learned friend asked you if complaints had been made by Colonel Dickson. Did you receive this in writing, dated August 1858?—

Mr. *Phinn* said the assistant superintendent was not instituted till 1860.

There was no change in the duties from the year 1858 until I left, of any description; I did receive a letter of the 2d of August pointing out that my duties were strictly executive.

277. Mr. *James.*] There was one of the 9th of August 1858. Did you obey these orders?—Yes, I have ever since.

Mr *James* said, he and his learned friend did not seem to be agreed as to whether the office was created in 1858.

Mr. *Phinn* said, they contended that the consent of the Treasury was to be given to the appointment, and there was a specific appointment of assistant superintendent then.

278. Mr. *James.*] Did you ever receive any alteration in your duties, or a further appointment after 1858?—Most decidedly not; it was merely a change in name to prevent the clashing of the duties of the inspector of small arms with the military officers.

279. Did you undertake any duties and fulfil any except those contained in the letter of July 1858?—None whatever.

280. And, except the change of name, has there been any?—No.

281. By the *Committee.*] This is a common form (*referring to a pay sheet*)?—Yes, all the forms of the War Office are called War Office forms; that is a form of enlistment, and that is a War Office form.

282. These were used by you in your duty?—Yes, they are forms drawn up by the War Office.

283. This enlistment order is in the same form as a military enlistment order?—Yes, it is the same.

284. You received an order to report yourself at Birmingham?—I did.

285. Was that treated by you as a regimental order?—Yes, it was in the regimental orders at Woolwich.

286. Would you have felt yourself at liberty to decline to obey that order?—Decidedly not.

287. Would you inform the Committee what was the form of proceeding with the armourer serjeants; are they drilled or not?—They are employed entirely as military artificers.

288. Not collected in a body, and brought together for the purpose of drill?—Their time is too valuable at their work.

General Peel was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

Gen. *Peel.*

289. You have filled the office of Secretary of State for War?—Yes.

290. And I believe you were also Surveyor General of the Ordnance?—Yes.

291. Were you a Member of the Committee that sat in the year 1860 upon Military Organization?—Yes.

292. You were also examined as a witness before that Committee?—I believe I was.

293. Did you concur in the report that was presented to the House of Commons by that Committee?—Yes; I signed it.

294. I see it is stated also, apparently in your evidence, that the Secretary of State for War has supreme command of the army, as representing the Queen?—Yes; through the Commander in Chief, I take it.

295. Giving, perhaps, in some instances, orders through the Commander in Chief; but taking now the position of the Duke of Cambridge as Field Marshal and Commander in Chief, who is superior, the General Commanding in Chief, or the Secretary for War?—I take it, the Secretary of State for War. If any difference arises between the Commander in Chief and the Secretary for War, the Secretary of State for War's authority would be paramount.

296. I find this as to the discipline. In the report it is said: "Notwithstanding the reservations in the patent, his Royal Highness the Commander

mander in Chief admits the supreme control of the Secretary of State over the army. Mr. Herbert, in the presence of his Royal Highness, reiterated before your Committee an opinion previously expressed by him in the House of Commons, that the Commander in Chief is an officer "subordinate" to the Secretary of State for War. Mr. Herbert added, that his experience in the office confirmed this opinion, and he appealed to the evidence given by the Duke of Cambridge himself before your Committee, in proof that his Royal Highness coincides in this opinion. Mr. Herbert is then pressed to state how he reconciles the powers which he exercises, with regard even to discipline and the movements of the army, with the reservations in his patent. The answer is remarkable: "I do not think that it is possible to reconcile them strictly; but, in fact, whatever you may put into a formal patent, the Minister who holds the purse-strings of the army, and who represents it in the House of Commons, will always have the power in his hands." Did you concur in that?—I concurred in it; but in my case there was no reservation.

297. During the time that you were Secretary of War, there was no reservation?—No; it was in consequence of the reservation that that Committee was held.

298. And in the previous patent, that reservation did exist?—Yes.

299. I believe now there is no such reservation?—No.

300. You are acquainted, to some extent, with the duties performed by Major Jervis?—Not particularly acquainted with the duties performed by him, but the duties generally of the manufacturing department.

301. It has been in your experience, I suppose, frequently that the Secretary for War has required officers for duties of a similar character?—If any vacancy had occurred during the time that I was Secretary for War, I should have applied to the Commander in Chief to recommend an officer; but I could have appointed a civilian.

302. That would be rather a matter of convenience than a constitutional institution?—No; I think it would be almost necessary to apply to the Commander in Chief, because he alone knows the qualifications and the character of the officers.

303. That would assist you in making a selection; but as regards the appointment, would that proceed from you, or the Commander in Chief?—I might receive more than one name, and if I approved of the officer, I should ask the Commander in Chief to tell him to go and perform duty.

304. Supposing the officer refuses your order?—He would be bound to obey any order, because I think every officer and every soldier is bound to obey a military order from the Commander in Chief.

305. Such an order you should have treated as military?—Certainly.

306. I presume there are many cases in which officers have to perform extra duties, such as attending head quarters of other armies; that would be an appointment by the Secretary of State for War by the selection of the Commander in Chief?—Yes; the Secretary of War knows nothing of the officers, and he applies to the Commander in Chief.

307. In those cases extra pay would be allowed while performing the extra duty?—Yes.

308. In all such cases, could an officer refuse to obey the order?—As an officer, I should say certainly not.

309. You are conversant with the fact that Artillery officers have to study, to some extent, the manufacture of warlike material?—Yes; I believe so.

310. While such knowledge is obtained by civilians, in your opinion, is such knowledge an important part of the military duty of an Artillery officer?—Certainly.

311. I do not know whether you have cognizance of it, but if this office had been held by a civilian under the Secretary of War, would he have been entitled to any pension?—I do not know.

Cross-examined by Mr. *Phinn.*

312. Is it your view that any military officer may be called upon to do any civil duty?—I go as far as that. I say he is bound to obey any order.

313. Even superintending a cotton factory?—Yes.

314. Is not this additional pay; the civil pay borne in the civil part of the estimates; not the military?—I believe it is in the same portion as the other. If filled by a civilian, it would be in the civil part.

315. May I ask which estimates you brought in?—I brought in the estimates of 1859 and 1860.

316. Now I find in 1859 and 1860 this note to your own estimates: "These officers receive, in addition to their salaries, the regimental pay of their ranks as officers of the Royal Artillery?"—No doubt it is there.

317. That is correct?—No doubt it is.

318. You brought the estimate in?—Yes; I laid the estimates on the table.

319. With reference to this Committee of Military Organization, you were a constant attendant?—I believe very regular indeed.

320. I find the designation of officers holding civil appointments; will you look down that list of officers, and see them.

The *Chairman* wished to know which page it was.

Mr. *Phinn* said it was page 625 of the Appendix.

The *Witness.*] This appears to be put in by Sir Benjamin Hawes.

321. Colonel Walford is Governor of Cadet Company at Woolwich?—Yes.

322. And there are the names of Colonel Tulloh, Colonel Askwith, Colonel St. George, Colonel Lefroy, and Colonel Campbell?—Yes.

323. They would be bound to accept those duties if you tendered them?—Yes.

324. By the *Committee.*] The Inspector of Fortifications is a military appointment?—Yes.

325. And Superintendent of Pensioners?—Yes.

326. You use the same expressions in those estimates of civil salaries, with respect to them?—The regimental pay is taken in one vote, and those in another.

327. Mr. *James.*] My friend has put in the estimates for 1859 and 1860?—Yes.

328. In which the word salary, I believe, has been used?—Yes.

Gen. *Peel.*

1 May 1866.

329. Do you recollect those words being called to your attention?—I understand that is to show the distinction, that where the money is taken for military pay, it is in one vote, and the civil pay from another.

330. Is that pay to the men proper, and do the establishments come under another name?—Military pay is Vote I.

331. For the men?—For the whole army.

Mr. *James* said he would put in the warrant, dated the 24th June 1858, creating the armourer serjeants. It was signed by General Peel, by Her Majesty's command.

The *Chairman* said the Committee were of opinion that it was not a place of profit, but was extra work given to a commissioned officer, which he was bound to execute.

Mr. *Phinn* said, if the Committee had formed that judgment, it was not for him to struggle against it.

The *Chairman* stated that the Committee felt it very strongly, or he should not have said so.

Mr. *Phinn* said, it was not a question of whether it was a military office or a civil one.

The *Chairman* replied, that the Committee were of opinion it was extra work given to a commissioned officer, which he was bound to execute, and there was no place or office created. It was part of his duty attaching to his commission, and he was ordered after a certain time to return to his regular duties.

Mr. *Phinn* said he had great difficulty in the case, from that of General Skeane.

The *Chairman* said, that was a different case. There were two causes alleged in that case, but it was not shown for which he was disqualified.

Mr. *James* said, in the Journals of the House it was distinctly stated that it was owing to his being Inspector of Roads.

The *Chairman* said, he was not disposed to give to the decisions of the House at that time much weight. They were a great deal more political than legal.

[Adjourned till To-morrow Morning, at Eleven o'clock.

Wednesday, 2 *May* 1866.

GATHORNE HARDY, Esq., in the Chair.

The Names of the Members were called over.—All present.

The Petition of John Gurney Kelley Burt and Others, complaining of an undue Return at the last Election for the Borough of Harwich, was read.

Mr. Serjeant *Ballantine*, Mr. *Clerk*, and Mr. *Haley*, appeared as Counsel for the Petitioners.

Messrs. *Wyatt* and *Metcalfe*, and Messrs. *Shaen* and *Roscoe*, appeared as Agents.

Mr. *Rodwell*, Mr. *Henry James*, and Mr. *Wolferstan*, appeared as Counsel for the Sitting Member.

Messrs. *Cobbold*, appeared as Agents.

Mr. Serjeant *Ballantine*, was heard to open the case on behalf of the Petitioners.

Mr. John B. Owen was called in; and, having been sworn, was Examined by Mr. *Clerk*, as follows:

Mr. *J. B. Owen.*

2 May 1866.

332. You are now, and have been for many years, I believe, the Secretary of the Great Eastern Railway?—Yes.

333. Some time ago, I believe, the Great Eastern Railway Company established a steamboat packet service from Harwich to the Continent?—Yes.

334. Was that managed at Harwich by local agents there?—Yes, under the instructions of the committee.

335. Were Messrs. Daniel and Groom the local agents?—Yes, they were.

336. Some time in 1864 was there dissatisfaction expressed by your Board with regard to the management of the steam packet affairs?—I believe there was.

337. You have your minute books here, I believe?—Those which I have been requested to produce, 1865.

338. July 1865?—I was only requested to produce those for 1865.

339. Then I cannot ask you about any resolution in 1864, but was there any discussion that you recollect at the Board with regard to the steam packet service?—Some dissatisfaction was expressed, and a special committee appointed to inquire into the establishment of that service.

340. What date was that?—I can hardly say.

341. Somewhere about the latter end of the year?—I think so; but if you have one of those printed pamphlets, it will give you the date. I have not one, but I think it is referred to in one of those pamphlets.

342. Subsequent to that, were there some formal resolutions come to with regard to the change in the management with reference to that packet service?—Yes, by the steamboat committee.

343. Will you be so good as to refer to the minutes of the Spring of 1865?—Yes.

344. Will you refer to those minutes, and see a resolution, dated, I think, in the Spring of 1865?—This book [*producing one*] contains those of 1865.

345. Does it contain some entries of 1864?—Yes, some of 1864.

346. Have you an entry there of October 1864?—Yes, the 10th of October.

347. Was it at that time that the Committee of Inquiry was appointed?—It was.

348. A Committee of Inquiry into the steam packet service at Harwich?—Yes.

349. Will you be so good as to turn to the 22d November 1864, and see whether at that time there was a report from the Committee with regard to the change of the management at Harwich?—That would be made to the Board.

350. The Committee presented a report?—Yes, to the Board.

351. On the 22d November 1864?—Yes, but I have not it here.

Mr. *James* stated it was possible that this might be evidence; but he would ask his friend how he would propose to make it. It was a report of the Committee to the Board, which might be evidence, or it might not.

Mr. *Clerk* replied it was a report of the Committee to the Board, of which Captain Jervis was the Vice-chairman, directing a complete change of management, which Major Jervis considered adverse, and thwarted.

The *Chairman* remarked that he supposed there would be evidence given to make it material, and they would at present take the evidence *de bene esse*.

Mr. *Clerk* replied that he only wished it to be taken *de bene esse*; because unless the proceedings

Mr. *J. B. Owen.*

2 May 1866.

proceedings were connected with Captain Jervis, the evidence would be valueless.

Mr. *James* said, on that understanding he was content.

352. Mr. *Clerk.*] I was asking you whether there was an entry on the 22d November 1864? —It is on the 24th November.

353. I believe they recommended an entire change?—Yes.

354. What is the recommendation?—This is it. It is the 24th November 1864. "Mr. Shaw brought up the report of the committee for investigating the steamboat service, together with a statement of accounts, from the commencement of the service. Resolved, that a copy of such report and statement of accounts, together with the minutes of evidence taken from time to time, be forwarded to each member of the Board; and that a special Board be summoned for Monday, the 5th proximo, at 11, to consider the same."

355. I do not want you to dwell at length upon this; but subsequent to that was Mr. J. G. Powers, in 1864, appointed the general manager of the continental traffic?—Yes.

356. Will you tell me when Mr. Powers was appointed?—I have not the exact date, but somewhere about that time.

357. About the end of 1864?—Yes.

358. Up to that time, Messrs. Daniel and Groom were still the managers of the continental traffic?—Yes, they were.

359. They were, I believe, at that time not salaried officers of the Company, but paid by a commission on the business done?—Yes.

360. At this time was Captain Jervis, the Honourable Member for Harwich at present, the Vice-chairman of your Company?—He was.

361. Did he as Vice-chairman take any part in the management of the steam packet service from Harwich?—As a member of the Board.

362. As a member of the Board solely?—Yes.

363. He had no special functions with regard to that traffic?—No.

364. In no other capacity; there was nothing delegated to him?—No.

365. When the Board had resolved upon appointing Mr. Power as general manager of the continental steam packet service, was your engineer, Mr. Sinclair, sent down to Harwich to erect offices for the Company?—There were instructions given to Mr. Sinclair, at the time it was determined to transfer the agencies to the Company, to erect offices for the purpose of the Company carrying on business there.

366. Up to this time the business had been conducted in the private office of Messrs. Daniel and Groom?—I believe so.

367. Do you recollect when those instructions were given to Mr. Sinclair to prepare the offices? —Yes, some time in June 1865, but I cannot give you the exact date.

368. Mr. Sinclair was instructed to prepare the offices?—Yes, and I find a minute of the 23d of June, "Resolved, that the Secretary write Mr. Sinclair to know definitively on what day the temporary offices at Harwich will be ready for occupation."

369. They must have been ordered some time before?—Yes, a short time, I should think; it was a mere shadow after all.

370. Up to that time were Messrs. Daniel and Groom still carrying on the business on commission?—They were.

371. On the 26th day of June, three days after the entry, you received a communication from Mr. Sinclair?—Yes.

372. Was that laid before the Board?—Yes.

373. Mr. Sinclair made a communication to you as to what had taken place at Harwich?—Yes.

374. Was there any entry upon any Board minute with regard to that?—Mr. Power reported the difficulties which he had in carrying out the instructions of the Committee in consequence of the temporary offices not being ready.

375. Was Mr. Power, with his clerks and assistants, at Harwich at this time?—I think not; but Mr. Power had full instructions from the Board, through me, to arrange with Messrs. Groom and Daniels for the use of their offices until such time as the temporary offices were arranged.

376. Used by whom?—By the Company.

377. With their own staff of clerks?—I should imagine so. This is the resolution of the 14th June.

378. What is that?—I will read the minute altogether: "Mr. Powers made a report to the Steamboat and Continental Traffic Committee. Read Report of Mr. Powers. Resolved that so much of the Report as relates to the agency of Messrs. Groom and Daniels ceasing on the 1st proximo be approved. That this Committee settle the question of compensation to that firm for past services at its next meeting. That Mr. Powers fill up the appointment at Harwich by such persons and at such salary as he can recommend and justify, and to report. That Mr. Powers arrange with Messrs. Groom and Daniel for the use of their office, after their agency has ceased, until such time as the Company's premises are ready."

379. Upon that, I understand, there is a report from Mr. Powers, on the 23d June, that he had a difficulty in completing the arrangement, because the office was not complete?—I think there was, but I do not see a report on that day.

380. You read it?—I will tell you what I read: I read, "That the Secretary write to Mr. Sinclair to know definitively on what day the temporary offices at Harwich will be ready for occupation."

381. And subsequently there was a communication laid before the Board with regard to the delay in the completion of the offices?—Yes, there was.

382. What day was that?—There was a letter from Mr. Sinclair of the 26th of June.

383. Was that laid before the Board?—It was handed to the Committee.

384. Look at the 4th July and see whether that letter of Mr. Sinclair was read before the Continental Traffic Committee on that day?—What was mentioned was that there was a report from Mr. Powers, and in that report I think he stated that the offices were not completed. This is the minute; it was read the 4th July; "Read Report from the Continental Traffic Manager on the subject of the passenger traffic, and also as to the arrangements at Harwich with reference to that portion of the Report of the Continental Traffic Manager that, as regards matters at Harwich, he has not been able to carry out the instructions of the Committee owing to the office accommodation not being ready. It was moved by Mr. Bidder, and seconded by Mr. Anderson, that Mr. Powers be instructed to carry out the resolutions

resolutions of this Committee of the 14th June last at once, and that Mr. Sinclair ——

Mr. *James* objected to this on the ground that the delaying of the works did not come within the allegations of the petition.

Mr. *Clerk* contended that he had a right to continue the evidence.

Mr. *James* was heard in support of the objection, when

The *Chairman* said the Committee were not in a position to stop the evidence at present; they did not know what it led to, and they must take it for granted that there would be something to make it material.

Mr. *James* wished the Committee to call upon Mr. Serjeant *Ballantine* to show how it was undue influence.

The *Chairman* said, that they had not come to that point; as to what bearing the resolutions might have the Committee did not know then.

Mr. *Clerk* being obliged to leave, the examination was continued by Mr. *Haley*.

385. You were referring to one of the resolutions of the Continental Traffic Committee; will you be so good as to proceed with that?—It was the 4th of July, and it proceeds thus: "It was moved by Mr. Bidder, and seconded by Mr. Anderson, that Mr. Powers be instructed to carry out the resolutions of this Committee of the 14th June last at once, and that Mr. Sinclair be instructed to complete the temporary offices at Harwich forthwith." Upon which an amendment was moved by Mr. Jocelyn, and seconded by Colonel Palmer, "That the further consideration of the subject be referred to the next Board." The Chairman, having put the resolution, stated the same was carried.

386. Is there any further resolution on that day?—No, I think not.

387. Any report respecting the agency?—Not that day; I think I read that at the commencement.

388. Was it not resolved on that day that the agency was to be determined by resolution?—No.

389. What day was that resolution arrived at?—The 14th June.

390. Will you read that?—

The *Chairman* stated that that had been read.

391. Mr. *Haley*.] That resolution determines the agency at Harwich?—Yes.

392. Now on the 22d June, have you any record on that day?—

The *Chairman* said they had had all that.

393. Mr. *Haley*.] Did you proceed to Harwich?—I went to Harwich on the 8th July.

394. In company with whom?—Mr. Powers.

395. Who had been appointed continental traffic manager?—Yes.

396. On your arrival there, had you any interview with Captain Jervis?—I saw Captain Jervis on my arrival there.

397. Who was he in company with?—When I first saw him he was alone.

398. But afterwards?—I saw him in company with several gentlemen.

399. Did you see him in company with Mr. Kelk?—Yes.

400. Were they canvassing the borough?—I do not know.

401. Where did you see them?—At the hotel where I was putting up.

402. Had you an interview on the subject on which you had been sent to Harwich?—Yes, he asked me for what purpose I was sent down.

403. Was that with Captain Jervis alone, or in the presence of other people?—I think first of all with Captain Jervis alone.

404. Subsequently had you an interview with him?—Yes, Captain Jervis was going into the coffee room, and I happened to be in the hall, and he asked me to go in, and I went in. He asked me several questions in connection with the object of my mission, and I told him what the object of my mission was.

405. First alone, and afterwards in the presence of Mr. Kelk?—Yes, Mr. Kelk was present at that time.

406. He asked you first, I understand, for what purpose you had come down there?—He did.

407. What did you say?—I told him to see that the resolutions of the directors were carried out.

408. What did he say in reply to that?—He asked me whether there was any Board order to send down 50 or more men to Harwich, and to take possession of the agency. I told him there was no such Board order.

409. Did he say anything further as to the contemplated changes?—No.

410. Did he say if such a change was completed he should oppose it?—He told me he had given instructions to Mr. Powers to send back the men that he had brought down; I believe Mr. Powers had brought some men down, I do not know how many, but Captain Jervis told me he had instructed Mr. Powers to send them back, that they were not required.

411. Did he say anything about paying those men?—No.

412. The *Committee*.] I understood you to say that they were not to be sent?—Not the 50. There was no resolution of the Board to that effect.

413. Mr. *Haley*.] In consequence of this did you return to London?—Not the same evening.

414. When?—I remained at Harwich the next day. The next day was a Sunday, and I remained at Harwich the Sunday until the Monday morning. Mr. Powers had returned on the Sunday, and on the Monday morning I telegraphed to Mr. Powers to know about this. I said probably you will see some of the directors and tell them how things stand at Harwich. I shall be glad if you will let me know whether my presence is required here any longer, as I am anxious to get back to town; then I received a telegram from Mr. Powers saying that the directors thought I had better remain two or three days longer at Harwich.

415. Mr. Powers himself had returned?—Yes.

416. Finding it useless being there for the purpose for which he was sent?—I do not know that, but he returned.

417. Did he make a report?—Yes, he did make a report some few days afterwards.

418. What day?—He made a report on the 13th of July.

419. Mr. Serjeant *Ballantine*.] Was that brought to the attention of Captain Jervis?—I do not know what day the election took place, but this is dated the 13th of July.

420. Was that brought to the attention of

Mr. *J. B. Owen.*

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Captain Jervis?—Not that I am aware of. It was brought to the attention of the Board, and Captain Jervis was present; I think it is the 13th of July.

Mr. *James* stated that that was after the election.

421. Mr. Serjeant *Ballantine.*] I think you will find it was brought to the attention of the Board on the 19th of July?—I think it is very likely; here it is. This is the 19th July. There was a special Board, and Captain Jervis was present. "Read the following letter from Mr. Powers" which is this. "To the Chairman of the Executive Committee. Sir, I have to report that in pursuance of the instructions received through the Secretary on the 6th and 7th instant, relative to the carrying out of the orders previously received from the Board, I proceeded to Harwich on the 8th instant, fully prepared to conduct the business of the Company at Harwich, but I found that the Deputy Chairman of the Company was so averse to those instructions being carried out, that it would have been quite impossible for me to do so without causing a breach of the peace; and upon instructions from the Deputy Chairman, received through the Secretary, I ordered the staff I had brought with me to return to London. Matters at Harwich are therefore just as they were. Yours obediently, J. G. Powers."

422. Mr. *Haley.*] That was brought before the Board on the 19th of July?—Yes.

423. Was Captain Jervis present at that Board?—He was.

424. Will you be good enough to read the minutes of the proceedings on that subject?—"Resolved, that the interference of Captain Jervis, in preventing the instructions of the Board being carried out in the conduct of their business at Harwich, is subversive of the authority of the Board, and calculated to prejudice the best interests of the Company."

425. Was he present when that was passed?—He was at the Board.

426. Did he enter into any explanation?—I do not know.

427. Was there any statement at that Board that day made by Mr. Powers with respect to the transactions at Harwich?—I think some conversation took place.

428. Mr. Bidder spoke?—On that day, I think so.

429. Who moved the resolution?—I think Mr. Bidder did.

430. Is it not recorded?—No; it is not usual to record the names of the mover and seconder.

The *Chairman* stated, the Committee wished to know the date of the telegram from Mr. Powers, and the answer.

Mr. *Haley* said he thought it must be on the 10th.

The *Witness.*] I think it was on the Monday; I will not be sure; but I think it was.

431. At that Board meeting on the 19th of July, to which I was calling your attention, did Mr. Bidder state what had taken place between himself and Mr. Kelk with reference to the Harwich election?—I would not be sure whether he did or not. There was some conversation about the election among the directors; but that forms no part of the minutes of a public company.

432. You do not know what was said?—No; it forms no part of the minutes of the Company.

Cross-examined by Mr. *James.*

433. As Secretary of the Great Eastern Company, I am afraid you have witnessed, have you not, a great deal of dissension between the directors of the Board?—Yes; there is no doubt upon some points there have been considerable differences.

434. Have not Major Jervis, Mr. Jocelyn, and Colonel Farmer generally taken one view?—I think they have.

435. And Mr. Bidder has generally taken a view strongly opposed to them?—I think Mr. Bidder's views were strong as to the manner in which the continental service had been conducted at Harwich.

436. He took a different view from Captain Jervis; but, independent of that, there was a personal difference?—I do not know about that.

437. You seem to think little of it?—I have nothing to do with any personal squabbles. It is not part of my business.

438. When did you go to Harwich about the removal of this agency?—On Saturday, the 8th of July.

439. Did you see Major Jervis on the Sunday, about one o'clock?—I think it was very likely he was in and out of the hotel.

440. I think it was 10 o'clock in the night when you arrived?—Yes, the train was late.

441. Standing at the door of the hotel, you saw Major Jervis?—I had taken my seat in one of the ante-rooms, and I saw Major Jervis then.

442. By whom were you sent?—By Mr. Powers.

443. The continental manager?—Yes.

444. And who else?—No other officer of the company.

445. No other man there?—I did not see any.

446. You two were alone?—I saw Captain Jervis alone, but Mr. Powers accompanied me from London.

447. Did Major Jervis ask you for what purpose you had come?—Yes.

448. What did you tell him?—I told him that I had come to Harwich for the purpose of seeing the resolution of the directors carried out.

449. Did you produce that letter to him as being the authority by which you had come?—Yes, I told him.

450. That is a letter dated the 8th of July 1865, written by Mr. W. H. Shaw, who was a director?—Yes.

451. And is addressed to R. Moseley, Esq., the general manager of the Company?—Yes.

452. It is "Be so good as to let Mr. Powers have as many porters and clerks as he may require, for carrying out the instructions of the Board in reference to the Company doing its own work at Harwich. As you are aware this was ordered on Tuesday last to be done at once. Mr. Powers will commence the change to-morrow or Monday. As there may be difficulty in obtaining the services of any of the persons at Harwich, he will require a staff of some 50 or 60 porters from London or Stratford, and a few clerks. Mr. Bidder and I have talked the matter over this morning, and we both think you and Mr. Owen, or at least one of you, should go down to Harwich with Mr. Powers, and see the instructions of the Board carried out"?—Yes, that is the letter.

453. Is there any power or resolution authorising the employment of those 50 or 60 men?—Not in those terms.

454. Was

454. Was there any resolution bearing on the subject, except what you read to the Committee?—No.

455. Do you know of any directors at all of the Board, except Mr. Shaw, as he states, and Mr. Bidder, authorising the employment of 50 or 60 people, porters from London, and a few clerks?—No.

456. Has it been the practice of the Board for individual directors to give orders of this description?—No.

457. Have you a minute of the 11th of August 1864, under this head, "Instructions to officers. Resolved, That the heads of the several departments be informed that they are to receive their instructions only from the Board and Committee, and through the secretary of the Company"?—Yes.

458. Has it been acted on?—Yes,

459. And under the provisions of the special Act of the Great Eastern Company, the chairman and deputy chairman have powers beyond that of the Board of directors?—Yes.

460. Exclusive? — Yes, they have powers beyond the other directors. But that clause to which you refer does not define what those powers are.

461. I believe Major Jervis wrote a letter to you as representing the Company, which you drafted, seeking the authority for those acts being done?—I think it is very likely.

462. That is your original draft (*referring to a document*)?—Yes.

463. This is a copy of the letter, drafted by the witness himself, from Captain Jervis. "Dear Sir, —Messrs. Groom and Daniels, the agents at Harwich of the continental traffic, have shown me a letter dated the 6th instant, signed by yourself, giving them notice, in the name of the directors, to terminate their agency on the evening of Saturday the 8th instant. As this (as admitted by yourself) has neither emanated from the Board or any of its committees, I shall feel obliged by your informing me by whose instructions you wrote such letter. They have also shown me a further letter, under date of the 8th instant, and I shall feel obliged if you will furnish me with the like information in respect of this further letter." Did you write or send any further letter to Major Jervis?—To whom is that addressed?

464. You drafted it, and did you not produce this authority?—I think Mr. Powers produced it; that is not addressed to me.

465. That is the only authority you had produced to Major Jervis?—The only one.

466. I believe it was upon that letter being produced, and the only letter, that Major Jervis said there was no such authority to Mr. Shaw to give such orders, and requested the men to be sent back?—I think so.

467. Finding it was only by one individual director?—There is no direct authority for me to go to Harwich, and if I had seen Mr. Moseley, I would not have gone.

468. Did Major Jervis request you to go to Yarmouth to get instructions from the chairman?—Yes.

469. Who was the chairman?—Mr. James Goodson.

470. He was the person who differed in some respects with Captain Jervis?—I do not know whether they differed at that time.

471. They did not agree like the other gentlemen I have named?—I think he held an independent position.

472. Major Jervis requested you to go and see the chairman, and take his order?—He did.

473. Did you take that course?—Yes.

474. Did Major Jervis interfere after he asked you to take the order of the chairman?—No; I think I proceeded the next morning.

475. I presume that you followed the directions of Mr. Goodson?—Yes; I waited there, and came to town with him.

476. You have said certain things took place at the Board meeting, the 19th of July?—Yes.

477. When did the next Board meeting take place?—That was the 3d of August.

478. Let me ask you this question, whether there was a resolution condemning Major Jervis' conduct on the 19th?—Yes.

479. Did not, in your presence, the directors offer Major Jervis to withdraw that resolution, if he would not oppose their general policy for the future?—I cannot say; I have not a record of it.

480. Let me call your attention to this, whether in your presence the letters I am about to read were not read to the Board. Did not Major Jervis read this letter to the directors, of July 20th, addressed to Mr. Kelk. "Dear Mr. Kelk,—Yesterday, at the Board, Mr. Bidder stated that you had informed him lately that I would do all I could at the Board to annoy Mr. Bidder, and that you paid my election expenses. Would you let me know if either of these latter statements are true." Then, in reply, there is a letter of July the 20th. Mr. Kelk to Captain Jervis. "Dear Captain Jervis,—In reply to your note just received, in which you state that Mr. Bidder told the Board that I had informed him lately that you would do all you could at the Board to annoy Mr. Bidder, and that I paid your election expenses, I have to state that both assertions are totally and entirely without a shadow of foundation." Was that read?—I think there was something about that, but there is nothing on the minutes.

481. Mr. Bidder was present on the 3d of August, was he not?—Mr. Bidder was not.

482. But other directors?—Yes.

483. Having heard those letters read, do you not think that those letters were read at the Board?—I think they must have been read at a meeting, not of the 3d of August, but the 20th of July.

484. Mr. *Haley.*] Have you any distinct recollection?—No; I have no distinct recollection.

485. Mr. *James.*] Was Mr. Bidder present on the 20th of July?—There is that which I think shows they must have been read, if read at all, at that time; there is this: "Read letter from Captain Jervis; and they would call attention to the following resolution, 'That it be an imperative instruction to every officer of the Company that the Board will hold them responsible if they fail to carry out the resolution of the Board or committees, except otherwise ordered by express authority through their only organ, the secretary.'"

Re-examined by Mr. Serjeant *Ballantine.*

486. Do you recollect whether those were read or not?—I do not remember.

487. At any time?—No.

488. Have you any recollection of them whatever?—No.

489. Have

Mr. *J. B. Owen.* 2 May 1866.

489. Have you never seen them?—No; if they were read they would form part of the minutes; Captain Jervis may have read them, and if he states so, perhaps he did.

490. Mr. Goodson is the Member for Yarmouth?—Yes.

491. Mr. Shaw is a gentleman who acts as chairman occasionally?—He is deputy chairman now.

492. Was Mr. Shaw chairman of the Steam Navigation Company?—Generally speaking he acted as chairman.

MR. GEORGE BIDDER was called in; and, having been sworn, was Examined by Mr. Serjeant *Ballantine*, as follows:

Mr. *G. Bidder.*

493. AMONGST other matters, I believe you are a Director of the Great Eastern Railway Company?—I was.

494. Were you so during the last July and some time previously to that time?—Yes.

495. Do you remember, on the 8th of July, Mr. Kelk calling upon you?—Yes.

496. Was that at your office in George-street?—Yes.

497. Of course Mr. Kelk was a gentleman that you had known before?—Oh yes.

498. I believe you took the same views of politics?—I do not know; my politics are not very defined.

499. Now, tell me this; he called upon you upon the 8th of July; what did he say?—That he wished that I would countermand the order which had been issued by the authority of the Committee to transfer the agency at Harwich for a week; that is the steamboat agency.

500. Does he say for what purpose?—He intimated that it would be important, as affecting the approaching election, which I think took place in that week.

501. What did you say to that?—I said I would be glad to do all I could to oblige him, but as there had been considerable feeling at the Board by a director countermanding the previous order, that I should certainly decline taking upon myself the responsibility of interfering with the ordinary procedure of the order which had been issued by the committee.

502. Did he say anything to you upon that?—He pressed me very strongly; I said I would have been very glad to oblige him, but really I must decline.

503. Did he say at all how it would affect the election?—He intimated that it would have a disastrous effect upon the election.

504. The removal of those agents?—The change of agency.

505. You say you declined to interfere; did he then tell you anything of his relations with Captain Jervis?—No, he did not; that arose in this way; after pressing me at considerable length, —I do not know exactly what led to it—however, at last I said, It seems to me, Mr. Kelk, that the rumour of which I have heard must be based upon fact, but upon that point I am quite aware that both Mr. Kelk and Captain Jervis have denied it; therefore I, to the best of my recollection, shall state the words, because it is possible it may be explained away.

506. Give me the words, as far as you recollect them, which Mr. Kelk used?—The words I used were, "It appears to me, Mr. Kelk, the rumour I have heard elsewhere of the arrangement between you and Captain Jervis appears really to be the fact, namely, that he was to bring to bear on the election the whole of the influence he could command, and that the expenses were to be sustained by Mr. Kelk." Those, I believe, were the words I used· there may be some explanation, but he nodded, and said, "Substantially it is so, but it does not contain all the conditions." That I believe was the substance of what passed, and almost the words, but I know Mr. Kelk has since denied it.

507. Just tell us your own recollection, and leave others to deny it?—That is to the best of my recollection what passed.

508. Was that all you said or all he said on the subject?—As far as I can recollect.

509. Did you make any report of the conversation?—I said, I think, on the 19th that there was a special Board summoned with reference to the proceedings at Harwich, and stated the interview at that Board as it occurred; and I believe almost in the words, "I am now stating them, and in the presence of Captain Jervis."

510. You say you said what you have stated to-day almost in the same words?—I believe so.

511. Did Captain Jervis deny it, or not?—I am not quite certain; I rather think he did.

512. Recollecting that you did state that, have you any doubt that Mr. Kelk told you that?—I have no doubt that what I have said is the substance of what passed.

513. I believe some correspondence took place between you and Mr. Kelk after this?—Yes.

514. Is that the first letter you received (*referring to a letter*)—"Sunday, 10 July 1865. Dear Sir,—After our interview yesterday, I was surprised at your sanctioning a letter from Mr. Shaw, addressed to Mr. Mosely, urging the taking forcible possession of the Harwich agency, more especially as I found from Mr. Owen, the secretary, that there was no Board or committee order for the proceeding, which you positively assured me yesterday morning was your only reason for not stopping action for a week. I can only look upon this as a political job to serve the other party, as a return for my declining Mr. Shaw's offer of his services as my paid election solicitor. I must add that I think you have treated me very unfairly in this matter, and will not allow it to pass unnoticed.—Yours faithfully, John Kelk"?—Yes, that is it.

515. Did you write a reply, and have you a copy of the reply?—Yes, which I have taken from the press copy.

516. It is?—"10 July 1865. John Kelk, Esq. Dear Sir,—In acknowledging your letter of yesterday, I have only to observe that I shall take my own time and manner of replying to your unfounded insinuations, and showing up the improper interference with the freedom of election at Harwich.—I am, dear sir, yours faithfully, Geo. P. Bidder"?—Yes, that is the letter.

517. Did you afterwards receive another letter, or did you write another?—I think I received another letter of the 14th.

518. It is—"For your letter to me of the 10th instant, you state that you intend 'to take your own time and manner' of replying to what you call my unfounded insinuations, and 'showing up'

up' what you designate as improper interference with the freedom of election at Harwich. It appears that the time and manner you have chosen, for your promised reply, are your causing to be printed and published at Harwich, during the heat of a contested election, my letter to you of the 10th instant, together with one you addressed to my political opponents on the 11th instant, containing some offensive observations directed against myself. I do not think I should be justified in allowing your election hand-bill to pass without notice, and I desire, with a view to a proper use of it hereafter, to put on record the nature and object of the application I made to you on Saturday last, which led to the subsequent correspondence. I have therefore now to state, that on the eve of the election, I found that an order had been sent to Harwich from persons purporting to represent the Great Eastern Railway Company, involving without due notice certain immediate charges connected with the railway, which order, if acted upon, could not fail to cause great excitement and ill-feeling in the town, and which doubtless would have led to a serious breach of the peace. I felt sure I told you so at our interview, that the results of the order could not prejudice Captain Jervis in the election, he being too sure of his seat to be affected by them, but would certainly injure me, and I appealed to you as a person to whom I thought I had, from old acquaintance, a right to make such a request, simply to postpone the contemplated measure to a more fitting time. The propriety (on public grounds) of any application was subsequently manifested by its appearing that Mr. Shaw had, with your consent, directed some 50 men to be sent to Harwich to take forcible possession of the works two days before the election. I now do not hesitate to affirm my perfect confidence that the course you thought proper to take in issuing the placard in question on the day of the election will satisfy every one that the interference with the election rests with you, and not with me, and has so done from the first, and that the choice of the particular time for changing the railway agency was, as I designated it, a political job, fortunately, however, planned with less ability than virulence, for the purpose of injuring the party to which I am politically attached." Then there is your answer of the 17th July 1865: "Sir,—Your letter of the 14th instant I received on my return to town. On the occasion of your interview on the 8th instant, you made no reference to any possible breach of the peace at Harwich, and you are well aware that the only threat of such an occurrence proceeded from Captain Jervis. You omit all reference to the fact that at the above interview you intimated to me that unless I acceded to your request I must look forward to constant opposition and annoyance from Captain Jervis at the Great Eastern Board. Neither do you allude to the peculiar arrangements you adopted to secure your election, as admitted by yourself to me. In conclusion, I take the opportunity of informing you that I decline further correspondence with a person who is evidently neither guided by ordinary discretion nor actuated by those high feelings which generally influence the Conservative Members of the Legislature.—I am, sir, yours obediently, George P. Bidder."—"P.S. I had no more to do with the issue of the placard or the insertion of the advertisement in the 'Times' than you had." Then the end of the correspondence is, "18th July 1865. G. P. Bidder, Esq. Sir,—I am in receipt of your letter of yesterday, which I should have treated with the contempt it merits, but for one observation which it contains referring to Captain Jervis, to which, under existing circumstances, I think it necessary to give a distinct denial. I, therefore, state positively that I never did intimate to you directly or indirectly that unless you acceded to my request you must look forward to constant opposition and annoyance from Captain Jervis at the Great Eastern Board. I expressly told you that whatever mischief might be done could not affect Captain Jervis at all. In conclusion, I can only express my regret that you persevere in your efforts to make mischief by such unwarrantable statements.—I am, sir, your most obedient servant, John Kelk."

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2 May 1866.

Cross-examined by Mr. *James.*

519. Had you any connection with politics at the election for Harwich, except in your position as director?—Nor had I anything to do with it in that position.

520. Except as director, you had nothing to do with the election at Harwich?—No.

521. The day you saw Mr. Kelk was Saturday?—Yes.

522. Did you write the letter of the 8th July before you saw Mr. Kelk: the letter which was read?

The *Chairman* said he had not seen that.

523. Mr. *James.*] Did you see Mr. Shaw on the 8th of July?—I think so.

524. Did you see him before or after you saw Mr. Kelk?—After, I think.

525. Did you have any board meeting on the 8th of July?—No, we could not; I told Mr. Kelk that I should endeavour to get a special board on the Monday.

526. You had none on the Saturday?—No.

527. Did you agree with the order to send down 50 porters?—What I agreed to was this; I said there was a letter from Mr. Powers, the steamboat agent.

528. Is this true; did you agree with Mr. Shaw that Mr. Powers should commence the change at Harwich on the Monday, and as there might be a difficulty in obtaining the services of any of the persons at Harwich, he would require a staff of some 50 or 60 porters from London or Stratford, and a few clerks?—Yes.

529. What authority had you to come to that conclusion?—The only authority was that there was an order that the agency should be transferred, and I said I would give my assistance in support of the order to carry it into effect.

530. What instructions had you to send 50 or 60 men to Harwich?—I had no instructions.

531. Were you aware that at the time you gave this order that it was resolved "that the heads of the several departments be informed that they are to receive their instructions only from the boards or committees, and through the secretary of the company"?—That resolution was my own passing.

532. And you wished it to be obeyed?—I did.

533. Why did you give those instructions?—I considered it was in obedience to that. Mr. Powers and Mr. Mosley had the entire charge of the steamboat business, and their orders were for the agency to be transferred on the Monday or Saturday, I am not sure which, and Mr.

Mr. *G. Bidder.*
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Powers said that Captain Jervis had threatened him if he attempted that he would be opposed.

534. Where is the authority that it should be transferred on the Saturday or Monday; we know that written authority; is there any other?—An order of the Committee.

535. For the Saturday or Monday?—I cannot tell.

536. Where is it?—In the Minute book.

537. Have you ever seen it?—With regard to that I do not know that I have, because it is a singular thing that there was an order of the Committee passed, and that was sent to Harwich; but it turned out afterwards that an important word in that order had been omitted, the word "immediate."

538. Where is the original that contains the word "immediate"?—The secretary had it.

539. Have you seen it?—Yes.

540. When?—Last June.

541. Did you ever call the attention of anyone to it that it had been incorrectly copied, and wished to have it altered?—The Minute was correct, but the order sent to Harwich was incorrect; the word "immediate" had been left out; we were very angry at that, and we gave an order that the agency should be transferred at the end of the half year, but there were other circumstances taking place, so that it could not take place till the week afterwards.

542. When you gave this order to Mr. Shaw, were you aware the buildings were not completed?—They were not.

543. To what spot was the agency to be transferred?—I think they had some temporary erection; that was represented to us by Mr. Powers; he said he could do it, and we said if he could do it, by all means do it.

544. You had a long acquaintance with Mr. Kelk, and you had been on friendly terms with him?—Yes.

545. You had had a long acquaintance with Major Jervis, and were not on friendly terms with him?—My acquaintance takes its date from my seat at the Great Eastern Board; but you say I was not on friendly terms; I think Mr. Kelk will correct you; I saw him on the 23d June, I went to Harwich and fell in with Mr. Kelk and Captain Jervis; they were canvassing, and I wished them success, which I did heartily, and Captain Jervis was rather more polite to me then.

546. But before that time, not at electioneering time, you had constant disagreements?—Not unfriendly, but we had differences.

547. You had expressed your opinion with unusual force?—No, I did not; what opinion I expressed I expressed as clearly as I could, but he was angry because he had had a letter, and it was with regard to this very election, and I said to Captain Jervis, the influence you get from promoting the interest of Harwich by bringing the trade there you are fully entitled to, but if you have been employing your interest either to get the voters upon the company's service at the election, that would be wrong; and he assured me that he had not done it.

548. When you had a conversation with Mr. Kelk, did you tell him that you were going to bring it before the directors?—No, and I should not have done it if he had not written a letter which I considered a threat.

549. Which one?—Both of them.

550. In consequence of that you made his conversation public in July?—Yes, as far as the Board was concerned.

551. And Captain Jervis said it was not true?—I think he did.

552. Did you have a letter denying that such agreement had been made?—I have seen a letter by Colonel Palmer purporting to be signed by Mr. Kelk, in which he denied it.

Re-examined by Mr. *Clerk*.

553. I understand, when you saw Mr. Kelk in July, you said that if you could have a special board meeting the transfer could be stopped?—I said I would have a board meeting convened on the Monday, and take the sense of the directors upon it.

554. Whether the transfer should be stopped?—Yes.

555. Do you know whether on the 4th July the committee had ordered that the work should be at once proceeded with, and that the agency at Harwich should be at once determined?—Yes.

556. Mr. Owen himself went down to Harwich?—Yes.

557. When Mr. Powers and Mr. Mosely gave those directions to have this transfer, was that within the terms of the resolution?

The *Chairman* said there was nothing about Mr. Mosely given in evidence.

Mr. *Clerk* said he was referring to a resolution moved by Mr. Bidder, that nothing should be done but through the secretary.

The *Witness.*] That the heads of the department should not be interfered with except by the order of the Board through the secretary.

558. Was Mr. Powers the head of this department?—Mr. Mosely was superior to Mr. Powers.

559. Where was Mr. Mosely at this time?—I cannot recollect.

Mr. William Henry Shaw, was called in; and, having been sworn, was Examined by Mr. *Clerk*, as follows:

W. H. Shaw.

560. In the month of July you were one of the directors of the Great Eastern Railway Company?—In July last.

561. I believe you are now still one of the directors, and vice-chairman?—Yes.

562. Were you present, do you recollect, at a board meeting on the 19th July of the Great Eastern Railway Company?—Yes, I do recollect it.

563. Was Captain Jervis, then the vice-chairman, present?—Yes, he was.

564. Do you recollect whether Mr. Bidder, who was at that time a director of the company, made

made any report to the Board?—He made a statement.

565. Do you recollect what the substance of that statement was?

Mr. *James* said they might take it that Mr. Bidder's statement was correct.

The *Witness.*] A special Board was convened for the purpose of considering the conduct of Captain Jervis relating to certain works ordered to be done, and during the discussion, Mr. Bidder made a statement, to the best of my recollection, to the effect that this interference at Harwich had been caused in consequence of its affecting the election of Mr. Kelk; as I understood it, I think he said he had an interview with Mr. Kelk, and Mr. Kelk asked him to use his influence to get certain works postponed for a period of time in order to carry it over the election, and also went further than that.

566. Do you recollect what he said?—He said he had an interview with Mr. Kelk, and, as we understood it, Mr. Kelk had intimated to him that some arrangement had been made by which the expenses were to be paid by Mr. Kelk, in consideration of Captain Jervis using his influence at Harwich with regard to the Great Eastern Company's works, or something to that effect.

567. After Mr. Bidder had made that statement to the Board, did Captain Jervis say anything; did he make any statement himself?—Yes, he did; he denied it.

568. Denied what?—He denied that it was true that Mr. Kelk was to pay the expenses of the election in consideration of his using his influence, as intimated by Mr. Bidder.

569. Do you recollect whether he said anything else; you say he denied that he had any arrangement with Mr. Kelk?—I understood Captain Jervis to deny that it was true that such an arrangement had been made, and if my memory serves me rightly, Mr. Bidder replied that he was repeating as correctly as he could what Mr. Kelk had told.

570. Do you recollect whether Captain Jervis at that time said anything to the Board about his reasons for delaying the transfer of the agency?—There was a long statement, recapitulating a great deal what had been done in the company for a long time past, and that statement he declined to hand in, although he was requested to do so.

571. After that statement, did the Board come to a resolution?—Yes, they did.

Mr. *W. H. Shaw.*

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572. Were you the chairman of the Continental Traffic Committee?—I was.

573. Had that committee, for some time prior to the election, been exceedingly desirous of getting the control of the traffic into their own hands?—Yes.

574. Removing the agency of Messrs. Daniel and Groom?—Yes.

575. You were aware of the resolution come to on the 4th, that the transfer should take place immediately?—I was aware of it, but I was not present; it was discussed afterwards on the 6th July.

576. Now, as chairman of the committee, was it your duty to see that that order of the Board was fully carried out?—Yes.

577. And that the change took place immediately?—Yes.

578. Were you aware of the parties proceeding from London to Harwich to see that that was carried out?—I became aware of it.

579. When?—On the 8th July; on the Saturday.

580. Was that the day that the secretary, Mr. Owen, and Mr. Powers, proceeded to Harwich?—I believe it was, but I should add this, that Mr. Powers, who was then continental traffic manager, had gone down, I believe, the evening before, the evening of the 7th July; he called upon me on the Saturday morning, the 8th July, and told me he had been down to carry out the instructions he had received through the secretary in the ordinary way, and could not do it.

581. Did he tell you why he could not carry them out?

Mr. *James* objected to the question.

Cross-examined by Mr. *James.*

582. You gave orders for 50 or 60 men to go and take forcible possession?—I wrote a letter, and I should mention this: with regard to that letter, it was in consequence of Mr. Powers coming to me and saying he could not carry out the instructions, and asking me what he was to do; I said it was a difficult position to be placed in, and that I would, in pursuance of the power which the committee had, do what I could to get him out of the difficulty.

Mr. Robert Sinclair, was called in; and, having been sworn, was Examined by Mr. *Haley*, as follows:

583. You have been for a number of years engineer to the Great Eastern Railway Company?—Yes.

584. You were engineer in July 1865?—I was.

585. In the spring of last year did you receive instructions from the company to prepare temporary accommodation for their agent at Harwich?—Yes, some time in the summer; I do not remember the date.

586. Did you proceed, in accordance with those instructions, to provide such accommodation?—I did.

587. Whom did you make the contract with?—A man of the name of Perry did the work.

Mr. *R. Sinclair.*

588. Did you direct that the work should be completed by any specific day?—No; I do not remember that there was any contract of that kind.

The *Chairman* said that the Committee wished to know how this could be material about the building.

Mr. *Haley* replied that they wished to show the works were stopped by Captain Jervis.

Mr. *R. Sinclair.*

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Mr. *James* said he would admit that Major Jervis was anxious that they should be postponed.

589. Mr. *Haley.*] You reported to the Board that the works had been stopped?—Yes.

Mr. *Clerk* said he wished to know whether his friend would admit that orders were sent for the transfer of the agency, and that Captain Jervis was not only desirous, but took steps to prevent that change.

Mr. *James* said he would admit that Mr. Owen's evidence was correct.

Mr. *Clerk* said that was the case for the petitioners.

Mr. *James* was heard to address the Committee on behalf of the sitting Members.

JOHN KELK, Esq., was called in; and, having been sworn, was Examined by Mr. *James*, as follows:

J. Kelk, Esq.

590. YOU are now one of the sitting Members for the Borough of Harwich?—I am.

591. Will you state shortly under what circumstances you were introduced to Harwich, and by whom?—I was originally asked to stand for Ipswich by Mr. Cobbold, who is now one of the Members for Ipswich; it was just before the shooting season, and while I was away I thought a great deal about it; but I made up my mind that it would be too large a place, and that I would rather sit for a smaller borough, and I made up my mind that I would give up Ipswich and take some other place; I communicated my decision to Mr. Cobbold, and he persuaded me not to do so, but to keep to my first love; to keep to my first love was his expression; he then suggested to me that if I would not stand for Ipswich I might stand for Harwich, as Colonel Rowley had made up his mind not to stand, and we had one or two interviews about it, and at one of these interviews I mentioned to Mr. Cobbold that it had been intimated to me that if I stood for Harwich I should have to bear Captain Jervis's expenses; I mentioned this to Mr. Cobbold, and he said, "If you made such a proposition to Captain Jervis, all I can say is, you would mortally offend him;" I thought it was my duty to do so, and shortly after that Mr. Cobbold brought Major Jervis to my office, and that was my first introduction, when we talked the matter over; I then thought it right that I should mention that subject again, that there should be no mistake about it, and I told Major Jervis, in the presence of Mr. Cobbold, that I had been told I should have to pay his expenses, and I wanted to know whether it was the fact; Major Jervis was most indignant at the proposition, and so ended the conversation about that.

592. From first to last, had you any agreement with Major Jervis, either expressed or implied, that you were to bear one farthing of his expenses at that election?—Not in any shape or way; there was no *arrière pensée*, and no reservation; there was never, for one instant of time, any agreement, implied or positive, that I was to pay one farthing of his expenses.

593. Is it the fact that you have paid any of his expenses?—Not a sixpence.

594. Have you paid your own alone?—Yes.

595. I believe you employed two solicitors and two agents, and that your expenses were slightly above Major Jervis's?—I think about 50 *l.*

596. You had two legal agents?—Yes.

597. And Major Jervis has paid his own expenses?—He has.

598. Now, you saw Mr. Bidder on the 8th?—Yes; I went to ask him to postpone the change in the Harwich agency for a week.

599. You were anxious that the agency should continue over the election?—Certainly; I went to Mr. Bidder, and we had a long friendly talk; nothing unkind was said between us, and the reasons he gave for not having taken any steps were, that he would stultify himself as one of the committee if he interfered; his words were, "I shall stultify myself if I interfere."

600. Did you say to him at that interview, or he say to you; these are his words, I think, "The rumour which I have heard is founded, in fact, that you pay Major Jervis's expenses if he uses his influence;" were any such words, or words to that effect used?—I have not the most remote notion of them.

601. Did you say that was so?—If I did say so, I must have told a deliberate falsehood.

602. To the best of your recollection, or have you any recollection?—Not to the best of my recollection.

603. But for not wishing to be in conflict with Mr. Bidder, would you say that did not take place?—To the best of my recollection it did not take place.

Cross-examined by Mr. *Clerk.*

604. I understand you had been in communication with Mr. Cobbold with reference to standing for Ipswich before you went to Harwich?—Yes.

605. You knew Mr. Cobbold before?—No.

606. Did he invite you to stand for Ipswich?—Yes.

607. Was he a stranger to you at that time?—I think I must have got an intimation of it before.

608. You say Ipswich was too large a place for you; what do you mean by that?—Too large a constituency.

609. What is the difference between Ipswich and Harwich?—The one is five or six times as large as the other.

610. Do you mean too expensive?—No; I had heard of certain practices having taken place that I did not like.

611. Harwich appeared to you to be a virgin place?—No; but the last election for Harwich and Ipswich were very different things, the previous election, and I certainly preferred the Harwich election.

612. You were aware at that time when you had made the arrangement with Mr. Cobbold that practices had prevailed at that place?—No.

613. I thought you said the practices were unpleasant?—That was not at the first time.

614. You knew before you went to Harwich that such things had prevailed before?—Yes.

615. Considering Ipswich was too large, you preferred going to Harwich?—Yes.

616. Was there no arrangement between Mr. Cobbold and you while you were at Ipswich, that you were to pay a share of Mr. Cobbold's expenses?—Not the slightest hint at such a thing as my paying any money to Mr. Cobbold or Captain Jervis.

617. I am speaking of Mr. Cobbold?—Not the slightest hint at such a thing.

618. Then Cobbold suggested that you should go to Harwich?—He did.

619. Captain Jervis is a son-in-law of Mr. Cobbold?—Yes.

620. You said there was no conversation between Captain Jervis and yourself with regard to your bearing any share of Captain Jervis's expenses?—I never said so.

The *Chairman* remarked that he had stated there was a conversation with Captain Jervis; that he had asked Captain Jervis distinctly whether he expected him to pay anything.

621. Mr. *Clerk.*] From whom had you heard this?—I would rather not mention the name; I see the gentleman in this room, but it will do no good my mentioning the name.

622. It was suggested to you before you went to Harwich, or at the time you went there, that you might be expected to pay a share of Captain Jervis's expenses?—Yes, that was the reason I mentioned it; I would not have mentioned it to Mr. Cobbold or Captain Jervis if it had not been intimated to me.

623. You were aware that other gentlemen had been canvassing Harwich on the same interest as yourself, before you went there?—I do not know that.

624. Mr. Capper and some others?—No, I was not aware of it, and I should not have opposed any Conservative.

625. Somebody had proposed to stand?—I do not know.

626. Where was it you heard that rumour that you would be expected to pay part of Captain Jervis's expenses?—I was told distinctly by a gentleman who was in this room, and I would rather not mention the name, because I cannot see that it would do any good.

627. I am afraid I must ask you?—If the Committee think I should mention it, I will do so.

Mr. *James* said perhaps if the Witness wrote the name on a piece of paper that would do.

The *Witness* wrote the name on a piece of paper, and handed it to the learned counsel.

628. Mr. *Clerk.*] Your first communication that he should pay some of the expenses was with Mr. Cobbold?—It was not some of the expenses, but all.

629. You had a conversation with Mr. Cobbold?—I mentioned it; it was not worth while naming as a conversation; it was a question and answer direct.

630. How did you mention it?—I was told I would have to pay the expenses, and I wished to know what my position would be.

631. And Mr. Cobbold said you had better not mention it to Captain Jervis, or you would mortally offend him?—Yes.

632. Did you mention it to Captain Jervis?—Yes.

633. Was there any conversation between you and Mr. Cobbold as to your payment of Captain Jervis's expenses?—No.

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634. None whatever?—No; I would not say that we have not within the last few weeks mentioned the subject, but only the last few weeks has the subject been alluded to.

635. You had a joint committee at Harwich?—Yes.

636. The placards and notices were signed jointly, Kelk and Jervis?—Yes.

637. I see in your letter of the 14th of July you write to Mr. Bidder, "I felt sure, I told you so at our interview, that the results of the order could not prejudice Captain Jervis in the election, he being too sure of his seat to be affected by them, but would certainly injure me;" how would the change in the agency prejudice you?—It would have made a great commotion in the town; Messrs. Groom and Daniels were amongst my principal supporters, and if it was known that on the eve of the election, the day before, that their connection with the Great Eastern was summarily cut short in such a manner as to make people think they had done something wrong, that they had been dismissed *vi et armis*, it might damage me; it would not affect Captain Jervis, because I think they offered to pay Captain Jervis's expenses down there, and they would have carried him on their shoulders, he is so popular.

638. The transferring of the agency would, in your opinion, have prejudiced you?—I think it might.

639. Are you not aware that an order had been given some time before?—I knew nothing about the order till the Friday night, and I did not know anything about this disturbance till the Friday night before the election.

640. When was the election?—On the Wednesday, and on the previous Friday I knew there was to be some disturbance.

641. Were you not aware that there was an order to transfer the agency before that?—No.

642. In the correspondence which took place between you and Mr. Bidder, I see that you deny specifically the fact that you had said to Mr. Bidder, that Captain Jervis would offer opposition to Mr. Bidder at the board; but there is no denial in your letter of this conversation published prior to the election with reference to your having to pay Captain Jervis's expenses?—There was no conversation published, I believe; that was on the day of the election.

643. Mr. Bidder writes to you, "You omit all reference to the fact that at the above interview you intimated to me that unless I acceded to the request, I must look forward to constant opposition and annoyance from Captain Jervis at the Great Eastern Board; neither do you allude to the peculiar arrangements you adopt to secure your election, as admitted by yourself to me." Then in a subsequent letter you write, "I am in receipt of your letter of yesterday, which I should have treated with the contempt it merits, but for one observation it contains referring to Captain Jervis, to which under existing circumstances I think it necessary to give a distinct denial;" there is no denial on your part of that of which he calls your attention to the peculiar arrangements.

Mr. *James* read the letter.

Mr. *Clerk.*] "I therefore state positively that

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that I never did intimate to you, directly or indirectly, that unless you acceded to my request you must look forward to constant opposition and annoyance from Captain Jervis, at the Great Eastern Board; I especially told you that whatever mischief might be done could not affect Captain Jervis at all; in conclusion, I can only express my regret that you persevere in your efforts to make mischief by such unwarrantable statements.

The *Witness.*] There are two.

644. Do you mean having had your attention called expressly to two things, you deny one and take no notice of the other, that you meant to include the other with reference to peculiar arrangements in the words "in such unwarrantable statements"?—I think the letter was sufficiently uncomfortable, and I did not wish to add any more. That was intended to cover the whole; I did not believe it, and thought very little about it; it seemed to be a fiction.

645. At the interview that you had with Mr. Bidder, when you urged him to countermand the order of the change of agency, do you mean to say there was no allusion by Mr. Bidder to some rumour current, that you were to pay Captain Jervis's expenses?—I have already said that I have not the slightest recollection of any such conversation.

646. Do you say that you have no such recollection of your having said anything to Mr. Bidder on the subject, after his having said what passed. That he stated to you that there was a report that you were to pay Captain Jervis's expenses, and that you nodded and said, "substantially it was so, but it did not contain all the conditions"?—I have not the most remote notion of any such thing, because if I had said so, I should have been telling or implying a deliberate untruth.

Major JERVIS, a Member of the House, having been sworn; was Examined by Mr. *James*, as follows:

Major *Jervis*, M.P.

647. YOU are now Sitting Member for the Borough of Harwich?—I am.

648. Do you remember Mr. Kelk mentioning to you the subject of bearing a portion of your expenses?—I remember it at one of the interviews, the second or third interview I had, I think, with Mr. Kelk; he spoke about my expenses, and I thought it was an unpleasant practical joke, and I remember saying, I have been able to pay my own way hitherto, and I thought I should be able in the future.

649. Did you in future have any agreement with him that he was to bear any of your expenses?—From that moment we have never spoken on the subject.

650. Have you borne your own expenses?—Yes.

651. Was it from money at the bank?—It was paid by the the Harwich bank.

652. Who was the manager of the bank?—My father-in-law is the banker, and I have a running account on the bank.

653. The gentleman who manages, is Mr. Franks?—Yes.

654. Is he here?—Yes.

655. Did Mr. Kelk find one farthing of that money?—Not a farthing; nor was any promise given.

656. It has all come entirely from your own resources?—Yes.

657. On the 19th July did Mr. Bidder make a statement at the Board?—He made a statement to the Board; and as he considered to prejudice me, he began making these extraordinary assertions.

658. Did you then deny it, or not?—*In toto.*

659. You denied it rather forcibly?—I denied it not only for myself, but for Mr. Kelk; I said I would at once write, and I knew what his reply would be.

660. You did write on the 20th?—Yes.

661. And you received a reply?—Yes.

662. Did you read the letters to the Board?—Yes.

Cross-examined by Mr. *Clerk.*

663. Neither to Mr. Kelk, nor to anybody on his behalf, was there any arrangement or understanding that you were to have any share of your expenses at the last election for Harwich paid?—None whatever.

664. Not even from Mr. Cobbold?—I think I may tell the learned counsel this, that having heard that such a statement had been made in a letter from the agent of the Conservative Land Society to the Secretary of the Society, I had the man dismissed, that he might bring the case up and have it tried; that was last March.

665. There are, I believe, a large number of persons at Harwich who are connected with the steam packet service?—No, there are not; out of the 120 men employed on the boats, two-thirds are strangers to the town, and only five voters.

666. Are there not as many as 60 voters connected with the steam packet service?—No.

667. Connected with the railway company?—No.

668. How many?—There are four inhabitants of Harwich on board the boats, and five or six men ashore.

669. Are not those the names of the voters connected with the Great Eastern Company (*handing in a list*)?—There are the names here of any person in Harwich who has, directly or indirectly, had any business with the company; here is Mr. John Patrick, who has been repeatedly mayor, and he is put down as a servant of the company because he has supplied cement to it, and Mr. John Vaux, who is a ship-builder, is put down as a servant because he altered a portion of the deck of the "Pacific."

670. Was Mr. Vaux only once employed?—I think only once repairing the deck of the "Pacific."

The *Chairman* thought this immaterial.

671. Mr. *Clerk.*] There are some of the names of the men connected with the railway?—Yes.

672. You are aware that on the 8th July orders had been given by your board some days previously

previously that the transfer of the agency should take place immediately?—There had been an order given by the Board that the transfer of the agency should take place as soon as practicable; certain matters being carried out.

673. Had you not yourself interfered with the contractor carrying out the preparation of the office prior to the month of July?—In no way; I will tell you exactly what did take place.

674. I am referring to the date of the 26th of June?—I think about that time I was down there with the Chairman and some other gentlemen, and we considered that the offices were being erected in the wrong place as far as utility was concerned.

The *Chairman* said the Committee were unanimously of opinion that this was immaterial to the question.

Mr. *Clerk* said so far as Mr. Kelk was concerned it might be so; but with regard to Captain Jervis it was different; there was still the question of undue influence.

The *Chairman* said they had not shown any undue influence, and Mr. Serjeant Ballantine in his opening said he not intend to go into particular cases.

Mr. *James* said he would call Mr. Cobbold.

The *Chairman* said unless the evidence was forced upon them they did not want to look into a gentleman's banking account; and with respect to Captain Jervis, there was not the slightest evidence of any agreement at all, and with respect to Mr. Kelk, he had absolutely denied it.

Mr. *Clerk* said that after the evidence that had been given, he could not maintain the case any longer; but although that was so, having had the information that had been given them, the petitioners were bound to bring the matter before the Committee.

Mr. *James* said, notwithstanding that withdrawal, he had to make an application that one of the resolutions of the Committee should be that the petition was frivolous and vexatious.

Major *Jervis*, M.P.

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Mr. *Clerk* contended that there should not be a resolution to that effect.

The room was cleared, and after a short time the counsel and the parties were called in, when

The *Chairman* said the Committee were unanimously of opinion, that Henry Jervis White Jervis, Esq., was duly elected a burgess to serve in this present Parliament for the borough of Harwich: That John Kelk, Esq., was duly elected a burgess to serve in the present Parliament for the borough of Harwich: That Henry Jervis White Jervis was not disqualified to be elected to serve in this present Parliament by reason of holding an office or place of profit under the Crown, erected since the passing of the Statute of 6 Anne, c. 7; nor as a deputy or clerk in the office of Her Majesty's principal Secretary of State for War, within the meaning of the 15th George II.: That no evidence of acts of bribery or undue influence by the said Henry Jervis White Jervis and John Kelk has been laid before the Committee: That no agreement between the said Henry Jervis White Jervis and John Kelk was made before the election, that the said Henry Jervis White Jervis should unduly use the influence of himself and the Great Eastern Railway Company with or over the voters of and in the borough in favour of the said John Kelk, and that the said John Kelk should in consideration thereof pay and bear the expenses of and attending the election of the said Henry Jervis White Jervis, or any portion thereof, as alleged in the petition of John Gurney Kelly Burt and others: That the petition of the said John Gurney Kelly Burt and others against the said sitting members is frivolous and vexatious.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

HARWICH ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
3 *May* 1866.

233. *Under* 4 *oz.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

HEREFORD CITY ELECTION PETITIONS;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
9 *May* 1866.

Wednesday, 2*d May* 1866.

NAMES of the Members appointed to try and determine the matter of the Petitions complaining of an undue Election and Return for the City of Hereford.

George Cavendish Bentinck.	Grosvenor Hodgkinson.
The Hon. A. Falke Egerton (S. Lanc.)	Arthur Russell (Tavistock).

The Hon. A. DUNCOMBE (Chairman).

Thursday, 3*d May* 1866.

Ordered, THAT the Petitions relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Eleven of the Clock.

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REPORT.

HEREFORD CITY ELECTION COMMITTEE.

Monday, 7th May 1866.

THE HOUSE informed, that the Committee had determined,—

That Richard Baggallay, Esquire, is duly elected a Citizen to serve in this present Parliament for the City of Hereford.

That George Clive, Esquire, is duly elected a Citizen to serve in this present Parliament for the City of Hereford.

The House further informed, that it had been proved to the Committee,—

1. That Thomas Hare was bribed with 9*l.*;

2. That William Birch, John Ede Derry, Charles Wainscoat, Edward Tyler, William Knowles, John Stephens, George Hedger, Thomas Killick, and William Shipp, were bribed with 10*l.* each;

3. That William Vickery was bribed with 5*l.*,

to vote for the said Richard Baggallay, Esquire.

That it was not proved that such bribery was committed with the knowledge or consent of the said Richard Baggallay, Esquire, or his agents.

That the Committee have no reason to believe that corrupt practices have extensively prevailed at the last election for the City of Hereford.

PROCEEDINGS OF THE COMMITTEE.

Friday, 4th May 1866.

NAMES of the Members called over;—all present.

The Committee agreed to the following preliminary Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party, under 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. That the Committee expect that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member, or his agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered so to do.

4. The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognisant.

5. That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

7. The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. That no person shall be examined as a witness who shall have been in the room during any of the proceedings (with the exception of the agents, whose names shall be handed in), without the special leave of the Committee.

9. That the Committee will only allow one Counsel to address them on opening the case, and one on the summing up.

10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. That the Committee will follow the practice of the courts of law with regard to speeches, as laid down in "The Common Law Procedure Act, 1854."

12. That if the leading Counsel are not prepared to sum up the case on either side, when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel, who may be absent.

13. That with respect to objected votes, the Committee expect Counsel to exhaust one class of objections before proceeding to another.

A Petition from *Peter Warburton* and others against *Richard Baggallay*, and praying the seat for *Henry Morgan Clifford*, read.

A Petition from *Josiah Ruisbeck* and others against *George Clive*, read.

Counsel for the Petition of *Peter Warburton* and others:—Mr. Serjeant *Ballantine* and Mr. *Macnamara*.

Agents:—Messrs. *Travers, Smith & De Gex*, Mr. *Reginald Ward*, Mr. *James Gay*, Mr. *Frederick Bodenham*, and Mr. *George Mill*.

Counsel for the Sitting Members and the Petition of *Josiah Ruisbeck* and others:—Mr. *Cooke*, Q. C., Mr. *Giffard*, Q. C., and Mr. *Henry Matthews*.

Agents:—*Baxter, Rose, Norton* & Co., and Mr. *Garrold*.

Mr.

Mr. Serjeant *Ballantine* was heard to open the case on behalf of the Petition of Peter Warburton against *Richard Baggallay* (one of the Sitting Members), alleging bribery, treating, and undue influence, and praying the seat for Henry Morgan Clifford.

Short-hand writers were sworn by the Chairman.

Mr. Serjeant *Ballantine* then called the following witnesses:—

EVIDENCE for the Petition of *Peter Warburton.*

James Robert Naylor, sworn; examined by Mr. Serjeant *Ballantine*; produced writ and return, and handed in five poll-books for the last election for the Borough of *Harwich.*

Joseph Bosley, sworn; examined by Mr. Serjeant *Ballantine*; handed in election accounts, &c.; cross-examined by Mr. *Giffard.*

Richard Johnson, sworn; examined by Mr. *Macnamara*; handed in minutes of proceedings of the Common Council of Hereford, admission of freemen, register of electors, 1864-1865, freemen's roll-book; cross-examined by Mr. *Cooke.*

Thomas Hare, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*; re-examined by Mr. Serjeant *Ballantine.*

William Birch, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*; re-examined by Mr. Serjeant *Ballantine.*

Henry Evans, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*; re-examined by Mr. Serjeant *Ballantine.*

Charlotte Evans, sworn; examined by Mr. Serjeant *Ballantine.*

On the question being asked this witness, "Have you ever said you had had 5 *l.* from him?" Mr. *Cooke* was heard to object, on the ground that Mr. Serjeant *Ballantine* could not cross-examine the witness.

Mr. Serjeant *Ballantine* was heard against the objection.

Mr. *Cooke* was heard in reply.

The Committee decided that the question might be asked.

The Witness was further examined by Mr. Serjeant *Ballantine.*

John Ede Derry, sworn; examined by Mr. Serjeant *Ballantine*; cross-examined by Mr. *Cooke*; re-examined by Mr. Serjeant *Ballantine.*

Charles Wainscoat, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Giffard*; re-examined by Mr. Serjeant *Ballantine.*

Edward Tyler, sworn; examined by Mr. *Macnamara.*

[Adjourned to To-morrow, at Eleven o'clock.

Saturday, 5th May 1866.

NAMES of the Members called over;—all present.

Evidence for the Petitioners continued.

Edward Tyler, sworn; cross-examined by Mr. *Cooke*; re-examined by Mr. Serjeant *Ballantine.*

William Vickery, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*; re-examined by Mr. Serjeant *Ballantine.*

Henry Gore, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Giffard*; re-examined by Mr. Serjeant *Ballantine.*

Maria Gore, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Matthews*; re-examined by Mr. Serjeant *Ballantine.*

John Stephens, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*; re-examined by Mr. Serjeant *Ballantine.*

John Perkins, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Giffard*; re-examined by Mr. Serjeant *Ballantine.*

Charles Seabourne, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*; re-examined by Serjeant *Ballantine.*

William Mann, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*.

John Davis, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke* re-examined by Mr. Serjeant *Ballantine*.

William Richardson, sworn; examined by Mr. Serjeant *Ballantine*.

On the question being asked this witness, "What did Bayliss say to you?" Mr. *Cooke* heard to object, on the ground that there was no evidence to show that "Bayliss" was an agent.

Mr. Serjeant *Ballantine*, heard, and contended that there was a *primâ facie* case of agency established.

Mr. *Cooke* heard in reply.

The Committee decided that the agency of Bayliss was not established, and that, therefore, the question could not be asked.

John Davis, further examined by Mr. Serjeant *Ballantine*.

Charles Smith, sworn; examined by Serjeant *Ballintine*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Macnamara*.

Henry Prew, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Giffard*; re-examined by Mr. *Macnamara*.

Joseph Hewitson, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*.

George Hedger, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Giffard*; re-examined by Mr. *Macnamara*.

[Adjourned to Monday, at Eleven o'clock.

Monday, 7th May 1866.

NAMES of the Members called over;—all present.

Evidence for the Petitioners continued.

William James Baker, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*.

Thomas Killick, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*; re-examined by Mr. *Macnamara*.

James Morgan, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Giffard*; re-examined by Mr. *Macnamara*.

William Skipp, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Cooke*.

Mr. Serjeant *Ballantine* stated that, owing to the Committee having decided on Saturday that the agency of William Bayliss had not been established, he should not proceed with the Petition.

Mr. *Cooke* stated that he should not proceed with the Petition against Mr. Clive.

Resolved,—

"That Richard Baggallay and George Clive are duly elected citizens to serve in this present Parliament for the City of Hereford.

The Committee further Resolved,—

"That Thomas Hare was bribed with 9 *l.*

"That William Birch, John Ede Derry, Charles Wainscoat, Edward Tyler, William Knowles, John Stephens, George Hedger, Thomas Killick, and William Skipp, were bribed with 10 *l.* each.

"That William Veckery was bribed with 5 *l.* to vote for the said Richard Baggallay, Esq.

"That it was not proved that such bribery was committed with the knowledge or consent of the said Richard Baggallay, Esq., or his agents.

"That the Committee have no reason to believe that corrupt practices have extensively prevailed at the last Election for the City of Hereford."

Ordered, To Report the above Resolutions to the House.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Friday, 4th May 1866.

MEMBERS PRESENT:

Mr. G. C. Bentinck.	Mr. G. Hodgkinson.
Hon. Algernon Fulke Greville.	Mr. A. Russell.

ADMIRAL THE HONOURABLE ARTHUR DUNCOMBE, CHAIRMAN.

JAMES R. NAYLOR, Esq., sworn; Examined by Mr. *Macnamara.*

J. B. Naylor, Esq.

1 I BELIEVE you are a clerk in the Crown Office?—Yes, I am Chief Clerk.

2. Do you produce the writ and return for the last election for the City of Hereford?—I do.

3. And also the poll books?—Yes.

4 May 1866.

JOHN BOSLEY, Esq., sworn; Examined by Mr. *Macnamara.*

J. Bosley, Esq.

4. YOU are the Mayor of the City of Hereford?—I am.

5. And you are the successor to the returning officer at the last election?—Yes.

6. Do you produce the election accounts for the last election, duly signed by the agents, for election expenses?—I do.

7. Do you produce also the appointment of Thomas William Garrold as agent for election expenses, by Mr. Baggallay?—I do.—(*The documents referred to were put in.*)

Cross-examined by Mr. *Giffard.*

8. You have taken an interest in the elections at Hereford for some time, I think, have you not?—I have.

9. I daresay you can tell me whether the number of freemen in the borough has not been diminishing a great deal, and whether the number of householders has not been increasing?—There is no doubt about it; there cannot be a question about it.

10. I believe the population of the borough increased about 50 per cent. between 1851 and 1861; I do not wish to confine you to the exact numbers?—It is about 16,000 now, and then it was between 10,000 and 11,000.

11. And, as a matter of course, there are, in consequence of that, a great number of new voters on the register?—No doubt; it must be patent to everybody.

12. I do not know whether you can tell me what the diminution between the election which took place in 1837, and the election in 1865 has been with regard to the different proportions of freemen and householders?—No, I cannot.

13. I daresay you can tell me however, that within the last twenty years the number of freemen has diminished two-thirds?—I cannot.

14. You cannot say that?—No; they are diminished, I know.

15. Did you take any part in the last election? I voted at the last election.

16. Was that the only part that you took in the election?—The only part that I took in the election; I felt very anxious for the return of our candidates.

17. Were you a member of Colonel Clifford's committee?—I attended the committee.

18. Were you a member of it, is my question?—I do not know; I attended the committee.

19. Did you receive circulars, and in consequence of receiving those circulars, did you attend the committee-room?—To the best of my recollection I never received any circular.

20. Did you attend the committee-room as a member of the committee?—I attended the committee-room on my own account.

21. Will you be kind enough to tell me if you can, whether you were a committee-man or not?—I cannot say; I do not know that my name was on the committee list.

22. Do you know whether you assented to be one of the committee-men, or not?—I never was asked the question.

23. Did you volunteer?—I used to attend the committee-rooms regularly when I had time.

24. Did you give directions?—I cannot say I did.

25. Can you say that you did not?—What directions?

26. Did you give any directions whatever?—I am at a loss to know what you mean by any directions.

27. I should have thought that the words were plain enough; I do not want to confine you to any specific kind of directions. My question to you is, did you give any directions whatever?—I might have done so.

28. Am I to take it, that you do not know whether you did or not?—If you will tell me what particular class of directions you allude to, I will tell you.

J. Bosley, Esq.

4 May 1866.

29. Indeed I will not; you must know whether you gave directions or not; my question is, did you give any directions?—I might have given various directions.

30. I know you might, and that is the very reason why I ask you whether you did or not?—Well, I might have done so.

31. But did you?—I might have given forty directions.

32. Did you or did you not?—I cannot charge my memory with having given any directions whatever.

33. How many times did you attend the committee-rooms on behalf of Mr. Clive and Colonel Clifford?—Every day.

34. For what period?—That I cannot tell; as long as the committee was sitting.

35. I want you to tell me, about how long?—I cannot tell you.

36. I do not ask you to tell me exactly, but how many times will you say you did attend?—I really cannot tell you how many.

37. Was it weeks or days?—No doubt it was weeks.

38. Now tell me what gentlemen you met there?—I met the agents there.

39. Can you give me their names?—I really cannot; I know I met Mr. Warburton there, and Mr. Carless.

40. Do not be in a hurry; I want you to give me the names?—I cannot recollect any more.

41. Mr. Warburton, I think you say?—Yes, and I have seen Mr. Carless.

42. Are there two gentlemen named Carless?—I think there are three or four of that name in Hereford.

43. To which of them do you refer?—I have seen Mr. Joseph Carless there.

44. Was Mr. Henry Carless there also?—I think I have seen him there; I am sure I have.

45. Was Mr. Sidney Myer there?—I never saw him there.

46. Was Mr. Frederick Bodenham there?—Yes; I have seen him there.

47. Was he generally there?—I do not know that he was there generally; not oftener than other people; I have seen him there.

48. Was he there generally?—I cannot say how often, but I have seen him there.

49. But you can tell me whether he was there generally or not?—Well, I tell you I have seen him there frequently, but how many times I cannot say.

50. You were there every day; was he generally there when you were there or not?—No.

51. But you have seen him there frequently?—Yes.

52. Was Mr. Charles Bodenham there?—He was there frequently.

53. Was Mr. Gwynne James there?—I never saw him there.

54. Was Mr. Preece clerk to the committee?—Not that I am aware of.

55. But did you see him there?—I never saw him in the committee-room.

56. Did you see him in the place where the committee used to sit?—I have seen him there; not in the committee-room; I have seen him in the house.

57. But was he engaged in writing, and was he apparently doing the duty which a clerk to a committee generally does?—I cannot tell you.

58. Where was he when you did see him?—I saw him downstairs.

59. Where?—In the committee-room.

60. You say you saw him downstairs in the committee-room?—Downstairs in the house where the committee was held.

61. What was he doing when you saw him?—Standing.

62. Did you generally see him in the house when you went there?—I do not recollect ever seeing him more than once there.

63. Did you see Mr. Averill there?—Yes, I have seen him there.

64. Frequently?—Yes, frequently.

65. Mr. Wigley?—I never saw him; there are several Mr. Wigleys in Hereford, and perhaps you will be kind enough to tell me which you refer to.

66. Did you see any Mr. Wigley there?—I have seen one Mr. Wigley there.

67. What Mr. Wigley was that?—He was from the Railway; I saw him once; I never saw him in the committee-room.

68. What is his name?—I cannot tell.

69. How do you distinguish him from the other Mr. Wigleys?—As I could distinguish you from Mr. Garrold—from his personal appearance.

70. Just remember what you are about?—I do not need to be reminded of that.

71. I want to know how you would distinguish that gentleman from the other Mr. Wigleys?—I have told you already that he belonged to the railway.

72. What office does he fill?—I cannot tell.

73. Is he a carpenter there?—He has something to do with the railway works, but in what department I do not know.

74. Does he work in the railway shed?—I have told you that he works on the railway; in the railway shed.

75. And none of the other Mr. Wigleys, so far as you know, do so work?—I do not know.

76. Was there a Mr. Morris that you used to meet there?—No; I have no recollection of seeing Mr. Morris.

77. But you will not undertake to say that you did not meet him there constantly?—I think I could; I have no recollection of seeing Mr. Morris at the committee-room.

78. But will you undertake to say that you did not meet him there constantly?—I have no recollection of meeting Mr. Morris there constantly.

79. My question is, whether you will undertake to say that he was not there?—That is my reply.

80. And that is the only answer you can give me, that you do not remember?—Yes.

81. Now, Mr. Charles Davies, did you see him?—I do not know a Mr. Charles Davies.

82. Did you meet a gentleman named Davies there?—No.

83. No gentleman of that name?—No.

84. I may be wrong about his Christian name; but did you meet no gentleman of the name of Davies at all?—Mr. T. T. Davies I have seen there.

85. What is that gentleman?—A magistrate for the city of Hereford.

86. Did you meet him there constantly?—I have seen him there.

87. Frequently?—Once or twice.

88. He has a son, I believe, who is a solicitor, Mr. James Davies?—Yes.

89. Was he there?—I have never seen him.

90. Did you meet a Mr. Meredith there?—No.

91. Never?

91. Never?—No.

92. Do you know a man named Meredith, who works at the Barrs Court station?—There is a man of that name who is a guard belonging to the goods train.

93. At Barrs Court?—Yes.

94. Did you meet him there?—No.

95. Are you quite sure of that?—Yes, I am quite sure of it.

96. Did you meet a Mr. Harrison, a builder, there?—It is almost impossible for me to charge my memory with the name of every person I met there.

97. That may be; but when I put a name to you, it is very easy for you to say you do not remember to have seen him, if that is a fact?—But when I say I do not remember, that reply will not do for you; I say, I do not remember meeting him there.

98. When you met the gentlemen you have mentioned there, what were they doing?—They were sitting down and talking.

99. They were talking about the election, I suppose?—Well, I cannot tell you what they were talking about.

100. Do you really mean to say that you cannot tell?—I mean to say that I cannot tell what the persons I have mentioned to you were talking about.

101. Used you to sit with them?—I was more frequently standing than sitting.

102. Were you in the same room with them?—Yes.

103. For how long at a time?—Indeed I cannot tell.

104. Would you say an hour?—It might be only a few minutes, or it might be an hour, or two hours. I cannot tell you how long.

105. And can you not tell what was the subject of discussion or of conversation among you?—Not with those gentlemen I have named.

106. Were they there discussing the business of the election?—Business was not discussed in that manner before the whole of the committee.

107. I have not mentioned any manner. What do you mean when you say that the business was not discussed before the whole of the committee; do you mean that there was some secret council?—No.

108. What then do you mean by that answer?—Perhaps you will put your question again.

109. I am asking you to explain your own observation. What do you mean by saying that the business was not discussed before the whole committee?—There were frequently parties meeting together in corners, and talking about canvassing.

110. In corners?—In the room; in different parts of the room.

111. Did you say just now, "in corners"?—In different parts of the room.

112. In corners?—You may have it in the corner, if you like.

113. Can you tell me any of these parties who discussed things in the corner?—Well, I have myself.

114. Who else?—I cannot tell you.

115. But as you say you discussed things in the corner, I want to know who was with you in the corner?—I frequently asked the agents how different parties had promised, and who they had promised for, and so on.

116. Who do you mean by the agents?—I have asked Mr. Jay.

117. Anybody else?—I have no recollection of asking anybody else.

118. Have you discussed things in a corner with the Bodenhams?—I have talked to Mr. Charles Bodenham in his room.

119. And Mr. Frederick Bodenham?—I frequently met him in the street, and may have asked him questions.

120. Do you know a man named Roberts?—There are several Robertses in Hereford.

121. Mr. Frederick Roberts, a saddler?—Yes.

122. Did you ask him to vote at the election?—I did.

123. When was it that you asked him to vote?—I asked him on the morning of the election.

124. About what time?—I cannot speak positively to the time, but I should think it was about 11 o'clock.

125. Might it be a little later in the day?—I cannot charge my memory, but I think it was about 11 o'clock; I could not be positive as to the time.

126. Was not the man at dinner at the time you went to him?—No.

127. Are you quite certain of that?—Quite.

128. Mr. Serjeant *Ballantine.*] This was the day of the election?—Yes; the morning of the election.

129. Mr. *Giffard.*] Did you speak of your own saddler, a man of the name of Lucas, at the time you asked him to vote?—Yes, I did.

130. Did you say that Lucas's sight was getting very bad?—No, I did not.

131. Did you say something about Lucas's sight?—Not a word.

132. What did you say about Lucas?—I said the reason I had not employed Roberts was because I kept my own saddler.

133. You were asking this man for his vote; Lucas was your own saddler?—Yes.

134. How came you to talk to him about this, when you were asking him for his vote?—How came I to do it? I did so.

135. So you have told us; I ask you how you came to do it?—I think it was a very reasonable observation for me to make.

136. Did you say anything about Mr. Roberts having your saddlery to do after the election?—Certainly not.

137. Nothing of that sort?—Certainly not.

138. Perhaps you said that he should not have it?—No, I did not.

139. Did you say anything about it?—No, I did not.

140. How came you to talk about Lucas having your saddlery?—I made the observation that the reason why I did not employ Roberts was because I kept my own saddler.

141. Did you think that was persuasive?—He said that the Whigs had not supported him of late, and I said, "If you allude to myself, I could not support you, because I keep my own saddler."

142. You understood him to refer to his trade as a saddler, and you said that you yourself had your own saddler?—Exactly.

143. Will you undertake to say that nothing was said about the sight of Mr. Lucas?—I have stated so.

144. I must ask you to be careful?—You need not remind me of that.

145. Was nothing said about a failure of sight in Mr. Lucas?—I positively state that I did not say anything of the kind.

146. Is it the fact that Lucas has some failure in

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in his sight?—I believe not; I never heard of it.

147. I believe you are a large post master?—Yes.

148. And in the course of your business you have a good deal of saddlery to do?—Yes.

149. After you had had this conversation with Mr. Roberts, did he tell you whether he would vote for your candidates or not?—No, he did not.

150. Did he not tell you one way or the other?—No.

151. Did you go with him to the poll?—No.

152. Did you go with any voters to the poll?—No.

153. None at all?—I walked with my brother, when my brother and myself polled together.

154. Was your brother the only voter with whom you went to the poll?—Yes.

155. The only voter?—The only voter.

156. Do you remember a man named Taylor, who works at the sheds; did you go with him to the poll?—I did not.

157. Are you quite sure you did not?—Yes.

158. You are positive you went with no voter to the poll, except your brother?—Except my brother, I took no voter up to the poll.

159. Perhaps we may misunderstand each other: did you go with any voter up to the place where people afterwards polled?—I was frequently at the different polling booths.

160. Did you happen to go up in that direction with persons who were voters?—Not intentionally.

161. Never mind whether it was intentionally or not, did you do it?—When I was walking up to the booth, there is no doubt that there were voters walking up at the same time; I did not walk with any one intentionally to take him to the poll to vote.

162. Did you, in company with any other person, walk towards the polling booths, and did those other persons happen to be voters?—I did not walk to the booth intentionally with any voters, to either of the polling booths, except my brother.

163. Did you go to the railway station to meet some voters who were expected from Dublin?—I did not.

164. Did you go to the railway station at all?—I did.

165. For what purpose did you go there?—To canvass some voters.

166. Was that on the polling day?—That was on the polling day.

167. Did you know that some voters were expected by train?—These were not by train.

168. Did you know that there were some voters expected by train?—I know there were a great many expected by train.

169. Did you know there were some voters expected by train, who were coming from Dublin?—I heard there were voters coming from Dublin.

170. Did you know at what time those voters were expected?—I did not.

171. Did you go to meet any train on the polling day?—I went down to the station on several occasions, but not to meet any train.

172. Did anyone go with you to the station?—No, I have no recollection of anyone going with me.

173. Did Mr. Sydney Myer go with you to the station?—No.

174. That you are sure of?—That I am sure of.

175. You said you did go to the station to canvass some voters; who were they?—There was a man named Williams.

176. Who is he?—He works at the railway station.

177. At what part of the railway station?—He works in the goods department.

178. At the Barrs Court Station?—At the Barrs Court Station.

179. Who else did you canvass at the railway station?—A man of the name of Prosser.

180. Was a man named Meredith with you when you canvassed Prosser?—Not that day; I saw him there one day previously when I canvassed.

181. When you were canvassing that same man Prosser?—Yes.

182. Besides Prosser and Williams, was there anyone else?—There was an engine driver.

183. What is his name?—His name is Dick; I forget his other name.

184. Perhaps I can help you; was it Denham?—Yes, that is the name.

185. Dick Denham?—Yes.

186. Was there anyone else you canvassed at the station?—I have no doubt there were several others, but I cannot recollect their names at present.

187. Did you go to the Barton Station at all on the polling day?—Yes.

188. What for?—To canvass voters.

189. What voters?—There were several there; there were three or four or five in the sheds.

190. Now tell me who you canvassed at the Barton Station?—I do not know their names; I think four or five.

191. Do you mean to say you do not know the name of any one of them?—I do.

192. Was Taylor one of them?—Really I do not know either of their names.

193. You know Taylor, do you not?—I do not know Taylor by name.

194. Do you know a man who lives at one of Walter Williams's cottages, at Barton?—No, I do not.

195. How did you know what men to go and ask for, if you did not know their names; you say you went because they were voters?—I went because they were voters, with a gentleman of the name of Curling, and he knew them.

196. When you told me just now that no one went with you to the station, you meant the Barr Court Station?—Yes.

197. Somebody did go to the Barton Station with you?—Mr. Curling.

198. Anybody else?—Not to the best of my recollection.

199. Will you undertake to say Mr. Myer did not go with you?—I do not recollect anyone else besides Curling.

200. Did Mr. Myer accompany you to the station at any time that day?—I have no recollection of his having done so.

201. Will you undertake to say he did not?—I have no recollection of it.

202. So I understand; but is your memory so clear that you will undertake to say he did not?—I could not undertake to say he did not.

203. You say you cannot tell me the name of any one of these men at the Barton Station that you canvassed?—No.

204. Can you give me any description of them?—One

—One of them is a very short, thick-set man; they were working in the railway sheds as mechanics, in the railway department.

205. Was there a Mr. Hales there?—I do not know him by name.

206. Were any of the persons you went to canvass at the Barton Station persons you had seen in this committee-room before?—I had never seen them before.

207. You had never seen any one of them there?—No.

208. You know Mr. Price?—Yes.

209. Did you see him at Barton?—I saw him in his office.

210. Where is that?—At the Barton Station.

211. Did you see him in the committee room?—I have no recollection of seeing him in the committee room.

212. Did Mr. Price assist in getting these men at Barton to vote for Colonel Clifford and Mr. Clive?—Not during my presence.

213. Did you ask him to do so?—I did not.

214. Did any one in your presence?—Not that I heard, not in my presence.

215. You went to Mr. Price to his office, you say, what did you go to him for?—To ask him to allow us to go down in the sheds to see some voters who were there.

216. I observe you use the phrase, "To allow us," who do you mean by "us"?—Mr. Curling and myself.

217. What time of the day was that?—I think it was just before dinner-time, just before they went to dinner; I think so, because I think Mr. Curling said, "We had better go there about dinner time, and that then they would not lose any time."

218. Were they in the sheds at dinner?—Just before dinner time.

219. By the *Committee.*] Dinner-time is 12 o'clock, is it not?—I think so.

220. Then it would be before 12?—I think so; I know that was the remark that Mr. Curling made; he said, "We had better go before dinner, and the men would not lose time, because they could go to their dinner after they voted."

Re-examined by Mr. Serjeant *Ballantine.*

221. I gather from your evidence that you are a strong Liberal?—I am.

222. And a consistent one, no doubt, mayors always are; were you applied to (I think you say you were not) at any time to be on the committee?—No.

223. Were you in any way whatever employed as an agent by either Mr. Clive or Colonel Clifford?—Certainly not.

224. Is Colonel Clifford the gentleman who originally had the property that Mr. Clive purchased?—Yes.

225. And I believe he is a Colonel in the Monmouthshire Militia?—Yes.

226. How long has he represented the place, or about how long; I do not care to a year or two, 15 or 16 years?—I should think nearly so.

227. And you, I think, are old enough to remember Mr. Clive's father representing it before him?—Yes, and I voted for him.

228. You say that you occasionally went into these committee rooms, and my friend put the "corner" upon you?

Mr. *Giffard.*] No, he volunteered the "corner," I did not put it to him. *J. Bosley,* Esq.

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229. Mr. Serjeant *Ballantine.*] I suppose election matters were discussed, is that so or not?—Oh, yes.

230. Among the election matters that were discussed, were the proceedings of Mr. Baggallay's supporters spoken of?—Yes.

231. What was said about that?

Mr. *Giffard* objected to the question.

Mr. Serjeant *Ballantine* was heard against the objection.

Mr. *Giffard* was heard in reply.

The *Committee* decided that the question might be put.

232. Mr. Serjeant *Ballantine.*] Tell us what was said upon that subject.—That the parties who had promised to vote for Clive and Clifford were being promised money, and were receiving money, to vote for Mr. Baggallay.

233. Did you mention that fact to Mr. Clive?—I did, and to Mr. Clifford.

234. And did you receive instructions from them?—I did.

235. What were those instructions?—Mr. Clifford said, that if 5 *s.* would win his election by bribery, he would not give it, and Mr. George Clive said, "Ditto, ditto."

236. You have been asked about canvassing Roberts; did you make any promise of any kind whatever to Roberts for his vote?—No, I did not.

237. Had you any authority from anybody, agent, or otherwise, to make any promise to any voter?—Certainly not; the agents of Mr. Clive and Mr. Clifford gave me distinctly to understand that they would not spend one shilling in bribery.

238. And had you so expressed yourself during the canvass?—I had.

239. Upon more occasions than one?—Upon more occasions than one.

240. You say that you attended the committee frequently, and that you canvassed voters; to your knowledge and belief, has a single halfpenny been spent by Messrs. Clive and Clifford in bribery?—Not to my knowledge, or to my belief.

241. With regard to the saddlery, and to Lucas losing his sight; you say that you have not discovered any defect in Lucas's eyes?—No.

242. Is he still in your employment?—He is.

243. And, so far as you know, is he able to do his work?—Certainly.

244. And have you the least idea of parting with him?—Not the slightest.

245. Or did you make any suggestion of that kind?—Not the slightest.

246. How did Roberts vote?—I believe he voted for Mr. Baggallay; I believe so.

247. By the *Committee.*] Were the committee rooms jointly occupied by Mr. Clive and Colonel Clifford, or were there two sets of committee rooms?—They were occupied jointly.

[The Witness withdrew.

RICHARD JOHNSON, sworn; Examined by Mr. *Macnamara.*

R. Johnson.
4 May 1866.

248. YOU are a solicitor?—I am.

249. And town clerk of Hereford?—Yes, I am.

250. Do you produce the register of voters that was used at the last election?—Yes, I do (*producing it*).

251. And also the list of freemen?—Yes (*producing it.—The documents referred to were put in*).

Cross-examined by Mr. *Cooke.*

252. You have been town clerk of Hereford for many years?—For 34 years.

253. Has not the constituency, as regards the freemen, diminished within the last 30 years from a large to a small number?—They have diminished very considerably, no doubt.

254. On the register that you produce, I believe there are only 181; am I right?—Yes, 181.

255. That is 181 out of 1,165, is it not?—1,251.

256. There would be an allowance for double entries; some freemen would be entered of course as householders?—Yes.

257. Have you any notion about what proportion; would you say 150, or 100, or something like that?—No, I have not any notion.

258. You annually attend on the barrister, and have to make up the register?—Yes, I do.

259. At the last election, were there 600 voters who had never voted at the previous election?—I cannot say.

260. Can you say that a great number of voters whose names are on that register were new voters?—Yes.

261. Many hundreds?—I dare say there were hundreds.

262. You have not counted them, as my client has, I suppose?—No.

263. It is suggested to me, that there are upwards of 660; do you know anything that will enable you to contradict that, although you cannot yourself affirm it?—No.

264. It is a fact, is it not, that the constituency of Hereford has of late years very much changed?—Yes, it has very much increased.

265. In consequence of the number of new houses?—Yes.

266. Owing to the number of railways that have been made, and that come to Hereford?—I presume so.

267. The suburbs of Hereford, I believe, have very much increased by the building of houses of a superior character?—They have very greatly extended, with very good houses.

268. Which houses are occupied by persons in many instances, new to Hereford?—Yes.

269. Was it not the fact that for some years after the passing of the Reform Bill, you had nearly as many freeholders as householders entitled to vote?—I cannot say, I am sure.

270. I see by this book it is 382 freemen against 434 householders?—Yes.

[The Witness withdrew.

THOMAS HARE, sworn; Examined by Mr. *Macnamara.*

T. Hare.

271. ARE you a shoemaker living in Hereford?—Yes.

272. I believe you are a voter for the borough of Hereford?—Yes.

273. As a householder?—Yes.

274. Shortly before the last election, do you remember meeting a man of the name of George Hedger?—Yes.

275. Is George Hedger a tailor?—Yes.

276. And does he live near you?—Yes, not far off.

277. In consequence of what Hedger said to you, did you go to William Baylis?—Yes.

278. What is William Baylis?—He is a plumber.

279. Where was he living at that time?—At the bottom of Commercial-street.

280. In the City of Hereford?—Yes.

281. Did you find him at home?—Yes.

282. State now, if you please, what took place between you and William Baylis on that occasion; tell us what he said to you, and what you said to him; when you saw him what did you say to him?—I do not know that I said anything to him before he gave me 4 *l.*

283. What did he say to you before he gave it?—He said, "I do not give you this on account of your vote; it has nothing to do with it."

284. What else did he say?—I do not think he said anything else.

285. Did he say on what account he did give it to you?—No.

286. And he did give you 4 *l.*, you say?—Yes.

287. Do you know what that was for?—I do not know what it was for; he said it had nothing to do with my vote, but he would give it to me.

288. Did he owe you any money?—No, he did not owe me anything.

289. Do you remember the day of the election, the polling day?—Yes, I recollect the day, but I do not recollect the day of the month, I recollect the time.

290. On the morning of that day, did you meet George Hedger again?—No; I do not know that I saw him at all that day.

291. Did you go on the morning of that day to the "Wellington Inn"?—Yes.

292. When you went to the "Wellington Inn," what room did you go into?—A little room.

293. On which floor?—On the first floor.

294. Who did you see there?—I see Mr. Baylis.

295. Was that the same Mr. William Baylis that you have spoken of?—Yes.

296. What took place when you saw him in the little room?—He gave me 5 *l.*

297. What did you then do?—I went home then.

298. Did you afterwards go and vote?—Oh, yes, I went and voted.

299. What did you do after you got the 5 *l.*?—I went down and voted.

300. For whom did you vote?—For Mr. Baggallay.

Cross-

Cross-examined by Mr. *Cooke*.

301. When did you come to London?—Yesterday.

302. Where did you come from; from Hereford?—Yes.

303. Have you been in Hereford all the time up to yesterday?—Yes.

304. Who has been to take down what you had to say; who has been to you?—When?

305. At any time?—Mr. Bodenham.

306. How long is it ago since Mr. Frederick Bodenham first came to you; when first did he come?—Just before the election.

307. He came to canvass you for Colonel Clifford and Mr. Clive?—Yes.

308. When did he come to you after the election?—He has not been to me since.

309. Who has been to you since the election to know about this which you have told us?—Nobody, only since I came here.

310. Were you brought up here without their knowing what you could prove; have you told us all this without anybody having asked you any questions?—Oh, yes.

311. When were you served with a paper to come here?—I have been served with a paper three weeks ago.

312. Who was the person that served you?—Mr. Dairs, the toll collector.

313. The market lessee?—Yes.

314. He served you?—Yes.

315. Did Dairs ask you any questions as to what you could prove?—No, nothing at all.

316. Do you mean to tell us that nobody asked you whether you had any money at the election till you got to London; were you asked any questions about having had any money till you got to London yesterday?—(*No answer.*)

317. Have you seen Hedger in London?—Yes, I have seen him, but I did not say anything to him.

318. Did he say anything to you?—No.

319. Where did you see Hedger; was it in a house?—Yes; I do not know the name of the public house.

320. Who brought you up to London, who had the charge of you?—I am sure I do not know the man.

321. Did you come up with a party, or did you come with merely one man?—I do not know the man's name now.

322. Did you come with several Hereford people?—Yes.

323. Tell me the name of anybody who was of the party?—They were strangers to me, the whole lot of them.

324. All the people who came up with you, were strangers to you?—I did not know one of them.

325. Who came to fetch you from home, to bring you up?—A man by the name of Croft, but he did not come up with me.

326. Is that Croft, the tailor?—Yes.

327. Is he the old man or the young man?—The old man.

328. Had he been to you before yesterday, come?—He might have called.

329. Did he not call to speak to you about what you could prove in London?—He did not say anything to me about London.

330. Never mind about London, how did they know you could say you had had 4 *l.* from Mr. Baylis, and that you had been at the "Wellington," unless you had told somebody of it?—Mr. Barrett, the mercer.

331. Did he come to you?—When?

332. I want to know what Mr. Barrett, the mercer, did with you?—He moved in the first place, about me having the money; he was the first as moved that I had the money.

333. Do you mean to swear to those gentlemen, that you think Mr. Barrett is the man who told Mr. Bodenham?—I could not swear that he did, but he told me that Mr. Bodenham said that I had the money.

334. What did Mr. Frederick Bodenham say to you before the election, when he canvassed you?—I could not say, I cannot remember that.

335. Let us know; he asked you to vote for Mr. Clive?—I do not know myself.

336. What did you tell Mr. Frederick Hodenham when he asked you to vote; did you tell him that you would vote for Colonel Clifford and Mr. Clive, or that you would not?—I said I should vote for the one that I could get the most interest of.

337. Did you mean most money?—Yes.

338. Before you came to London yesterday, had anybody asked you what you could tell the gentlemen about the money?—I could not say.

339. How did the counsel know that you had ever spoken to George Hedger, if you had not told them?—I do not know, I am sure.

340. Did you talk with Hedger yesterday?—No; I have not spoken to him since I was here.

341. Did you see him before he left Hereford, some months ago?—Yes.

342. Did he speak to you about coming up as a witness?—Yes, he did.

343. Did he tell you that he was going to split upon the party?—Yes.

344. And that Mr. Frederick Bodenham was going to make it a good thing for him if he did, and that he would get some of the money?—No, he did not.

345. What did he tell you when he said he was going to split; did he say that he was going to make a good thing of it?—He wanted me to come, and I said I would not.

346. Where did he want you to come?—To London.

347. Is that three or four months back?—I should think it is more than two months.

348. Have you seen him in Hereford since the time when he asked you to come to London with him?—No, I have not.

349. What did he ask you to come to London for?—He did not say what for.

350. Tell us what he said to you, then?—I do not know what he said.

351. Tell us what it was that he said to you about coming to London?—I cannot recollect what he said.

352. Do you mean to swear that you do not know for what purpose he asked you to come to London with him?—I wish to say the truth; I would not tell an untruth. I could not recollect now what he said, any more than if he had not spoken at all.

353. Did he speak to you about any reason why you were to go with him to London; Hedger is a journeyman tailor, I am told?—Yes.

354. How was he to take you to London?—I do not know; I did not have but very little talk with him, because it was a thing that I did not want to have anything at all to do with, and then I did not have any talk with him.

355. What

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355. What was the thing he mentioned to you that you did not want to have anything to do with?—To come to London.

356. For what purpose?—Well, I suppose it was to go against Mr. Baggallay.

357. By the *Committee.*] To go against Mr. Baggallay?—Yes.

358. Mr. *Cooke.*] You say he told you he was going to split; did he tell you who was going to pay his expenses?—No.

359. Who was to pay for your coming to London two or three months ago?—I did not ask him any questions at all about it.

360. Did you say you would come against Mr. Baggallay?—No, I did not.

361. What reply did you make to him?—I did not tell him anything particular that I know of; I said I would not have anything at all to do with it.

362. Have you seen his wife in Hereford since he has been away?—That is all I can say about it; I could not tell you every word, as I said, exactly, but that is as near as I can say, to speak the truth.

363. Do you mean to say that he merely said, "Will you come to London?" and that you said, "No, I will have nothing to do with it"?—Yes.

364. And Hedger did not tell you anything else?—No, not then.

365. Did he at any time before that; had he seen you more than once about splitting?—No; I do not think he see'd me more than once.

366. Will you swear that he only saw you once?—I will swear that I do not think he came more than once to ask me.

367. Had he spoken to you about splitting before that?—I do not think he did.

368. Where did he see you that once?—At my house.

369. Did you ever see him anywhere else except at your house?—No.

370. Have you seen Hedger's wife in Hereford since her husband went away?—I was never at the house.

371. But have you seen her?—I cannot say I have seen her; I go up and down every day, and I might have seen her taking milk in or so at the door, but I could not swear that I did.

372. Has she been living in Hereford, to your knowledge, while her husband has been in London, or away?—I have never spoken to her.

373. Have you seen her?—I might have seen her at the door.

374. Have you seen her?—Not to the best of my knowledge.

375. How many doors do you live from her?—A good many doors.

376. But in the same street?—Yes, in the same street.

377. Do you swear that you have not seen that woman, to speak to her, since her husband went away?—Never.

378. What sort of house did you find Hedger in last night; an hotel, or a large house?—A public house, of some sort.

379. Have you got the name of it?—I think I have, somewhere.

380. Is it "The King's Arms"?—No.

381. Is it not "The King's Arms" in College-street?—It is at the corner of some street; at the corner of College-street.

Re-examined by Mr. Serjeant *Ballantine.*

382. Are you and Hedger living in the same house in London?—Yes, I believe he is.

383. Does he sleep in the same house?—I do not know whether he slept there last night or not.

384. When you got the money from Baylis, was it after that that you saw Mr. Bodenham?—(*No answer.*)

385. When you told Mr. Bodenham that you should vote where you got the most interest, or where you got the most money, what did he say?—I do not know; I am sure I could not say what he said.

386. He did not give you anything?—No, he did not.

387. Or promise you anything?—No, he did not promise me anything.

388. Have you got a wife?—No.

389. Have you got a master?—No.

390. Who is Mr. Barrett; have you got a landlord?—Yes, I have got a landlord.

391. Did you tell Mr. Barrett of your having had this money?—Yes.

392. When did you tell him?—The morning I had it, I think.

393. Was that the first or the second money?—The first money.

394. Did you tell Mr. Barrett about the second money; did you owe any rent?—No, I did not.

395. What did you do with the money; do not let me ask you an unpleasant question; what did you do with the money?—Put it in my box.

396. And have you got it now?—No.

397. What has become of it?—

Mr. *Cooke* objected to the question, as not arising out of his cross-examination.

The question was waived.

398. Mr. Serjeant *Ballantine.*] How long was it between the first and second payment?—About a week, I think it was.

[The Witness withdrew.

William Birch, sworn; Examined by Mr. *Macnamara.*

W. Birch.

399. Are you a fellmonger and skinner?—Yes.

400. At the time of the last election were you living in Hereford?—Yes.

401. And were you a voter at the last election as a householder there?—Yes.

402. I believe that shortly before the last election you were out of employment?—Yes.

403. Do you remember going to the office of Mr. Garrold, the solicitor?—Yes.

404. About how long before the election was that?—That was about a fortnight.

405. Did you see Mr. Garrold there?—Yes.

406. Where was he when you saw him?—In the bottom room, on the floor.

407. On what floor was that?—On the first floor.

408. Do you mean on the ground-floor?—On the ground-floor.

409. When you saw Mr. Garrold, what did you say

say to him?—I told him I wanted to buy a few skins, and if he could let me have a little money, I would vote on his behalf.

410. What did he say to that?—He told me *he* could not let me have any, but if I came up at five o'clock he would see: I was to come up at five o'clock.

411. Did you go up again at five o'clock?—Yes.

412. When you went up again at five o'clock, into what part of the office did you go?—I went to the left into the first room on the same floor, in a door to the left.

413. Would you pass through a room to get to that?—Directly you go out of the lobby you are in a room, and you have to go out of that room to get into the other.

414. Were there clerks in the outer room?—In the first room there were.

415. Who told you to go into that inner room?—A boy opened the door for me and showed me in—one of the clerks.

416. When you got into this inner room, whom did you find there?—Mr. Baylis.

417. What Mr. Baylis is that?—Mr. Baylis, a tinman, in the Commercial-road.

418. Is that Mr. William Baylis?—I believe it is William; I will not say to his Christian name.

419. Is it Mr. Baylis, the plumber?—Yes: a tinman or gasman.

420. Where was he living at that time?—In the Commercial-road, near the "Carey Arms."

421. When you saw Mr. Baylis there, what was said; who spoke first?—He asked me how I was, and shook hands: Mr. Baylis did.

422. Go on and state what passed between you?—And to sit down by the side of him, and I sat down on the left-hand side.

423. What was then said?—He told me that I was to be sure and not say nothing, or else it would ruin him, and he would give me a sovereign then, and see me the next morning.

424. Did he give you anything then?—Yes, a sovereign—one sovereign.

425. Did he say where you were to go next morning?—Yes.

426. Where?—To his house.

427. I believe you went to his house the next morning, and he was out?—Yes.

428. After that did you go to his house again?—Yes.

429. About how long would that be before the election; about how many days?—It would be about a fortnight, I should think, within a few days.

430. When you went then to his house did you see him?—Yes.

431. Now state, if you please, what passed between you and him on that occasion?—It was at breakfast time, about eight in the morning; he told me to come in, and I went in, but I was afraid of the dog that was at the door, and he gave me 4 *l.* more, and he wrote out a paper for 5 *l.*; that was with the sovereign I had before.

432. By the *Committee.*] You mean a receipt?—Yes, that made it a receipt.

433. To whom did you give that receipt?—To him; he kept it.

434. You signed it?—Yes.

435. Mr. *Macnamara.*] Why did you give him a receipt?—He said he wanted it to show what he had paid, but he would give it me back; he said that he would give me the receipt back, but he wanted to show that he had paid the money.

436. Who was present in the room at the time when this paper was given by you to Baylis, and he gave you the 4 *l.*?—No one.

437. In the room?—Oh, his daughters!

438. Were they at breakfast?—Yes.

439. Were they in a position to see what took place between you and Baylis; could they see the 4 *l.* pass?—Yes, they could have seen it.

440. Do you remember meeting Baylis again on the morning of the election?—Yes, in Blue School-lane.

441. What did he say to you then?—He told me it would not do for him to give it me there.

442. Did you ask him for anything more?—No, but he said it would not do for him to give it me there; I expected what he meant, and I was to go to Preece's, at the "Old Harp."

443. Is Preece the landlord of the "Old Harp"?—Yes.

444. Did you go to Preece's, at the "Old Harp"?—Yes.

445. Did you see Mr. Preece, or who did you see there?—I see several people there, but I could not find Mr. Baylis there.

446. Did you have anything to drink there?—Yes, I had a little.

447. What had you?—When do you mean?

448. At the "Old Harp," when you went there on the polling day?—The first thing in the morning?

449. Yes?—No, I did not have anything then.

450. Where did you go from the "Old Harp?"—To a public house called the "Wellington."

451. When you went to the "Wellington" to what part of it did you go first?—I went to the bar.

452. And from there to what part of the house did you go?—Up-stairs to the committee room.

453. What made you go up there?—Because I was told Mr. Baylis was up there.

454. Did you go into the room?—I went into the room.

455. Were there many persons there or only a few?—There were several there.

456. About how many should you say there were?—About twenty or thirty.

457. When you went there did you ask for anybody, or what took place?—I asked for Mr. Baylis.

458. In consequence of what you heard did you go somewhere from that room?—Yes, I went into a little room on the left.

459. By the *Committee.*] Was that on the first-floor or the second-floor?—It would be on the second-floor, the first staircase up.

460. Mr. *Macnamara.*] You speak of the second-floor, what do you call the first-floor?—On the ground.

461. It would be the first-floor up-stairs?—Yes.

462. When you got into this little room did you find anyone there?—I found nobody there but Mr. Baylis.

463. What passed between you and Mr. Baylis then?—He gave me 5 *l.*

464. What did he say?—I showed him the two cards that I had got.

465. What were they?—Two voting cards which I had received.

466. And what did he say?—He told me to vote with the one in Widemarsh, not to vote with the one in the Commercial-road; to vote with the card for my residence, the one in Widemarsh, as I had had two cards sent me.

W. Birch.
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467. By the *Committee.*] Widemarsh is where you live?—Yes.

468. Mr. *Macnamara.*] Were you on the register for two places?—Yes.

469. Did he say anything else to you then?—He told me to vote early.

470. Did he say for whom at all?—Oh, for Mr. Baggallay.

471. And did you go and vote for Mr. Baggallay?—Yes, there and then.

472. Did you afterwards go back to the "Old Harp" on that day?—Yes.

473. Did you have anything to drink there?—Yes, I had.

474. What did you have?—I might have had four or five glasses of brandy-and-water.

475. Did you pay for it?—No.

476. Or any part of it?—No.

477. Who gave them to you, who supplied them?—Two gentlemen gave me the best part of it.

Cross-examined by Mr. *Cooke.*

478. Were you out of employment before the election?—Yes.

479. In needy circumstances?—Yes.

480. And you went to ask Mr. Garrold to assist you with some money to buy some skins?—Yes.

481. Will you tell me any time at which you mean to swear you saw Mr. Garrold on the subject, and when as you say, you went to his office and saw him on the ground floor?—From about 10 to 11 o'clock, I should think, as near as I could say.

482. Ten to 11 what?—In the morning.

483. I do not care about the time of day, I want you to fix the day?—This was on a Monday.

484. How many days before the day of polling?—Not above two or three.

485. I must have it nearer than that?—I can find out the very day if you will give me time.

486. Was it the third Monday or the second Monday before the polling?—I will not say to that now.

487. I must trouble you to do so; be good enough to say when it was that you will swear you saw Mr. Garrold, and went to his office; Monday you say was the day of the week?—I can let you know in the course of a day or two.

488. Do you mean to swear that it was as much as three Mondays before the polling day, or two Mondays?—I cannot say for certain.

489. Was it the Monday before the polling?—Yes, it was all that.

490. Will you swear that it was on the Monday before the election?—I will not say which Monday it was.

491. Was it the first Monday immediately before the polling, the polling was on the Thursday?—Yes, it was.

492. Was it the Monday before the polling, or the Monday week, or the Monday fortnight before the polling?—I will not say for certain; I cannot say.

493. What is it that you cannot say for certain?—Whether it was a fortnight or three weeks before.

494. Or a month?—No, I do not think it was that.

495. I hope to show that you never were there, and therefore I want to know from you, what Monday you will fix as the day?—You cannot do that.

496. Tell me any Monday on which you will dare to swear you were at Mr. Garrold's office?—I will tell you in a day or two.

497. I want to know what Monday you will fix as the day on which you went to Mr. Garrold's office, you being in needy circumstances and got 1 *l.*?—The Monday that I went to Mr. Garrold's office was the same day as I received the sovereign from Mr. Baylis.

498. That we do not dispute; what Monday will you swear that was?—It was the first Monday after I left Mr. Heures, on the Saturday.

499. Mr. Heure is a butcher?—Yes.

500. You left Heure's work on a Saturday, and the Monday after you left Heure's is the Monday on which you went to Mr. Garrold's office?—Yes.

501. Did you leave Heures a month, a fortnight, or three weeks before the election; I must have the date?—I have never kept any account.

502. But you did not usually get pounds in that sort of way; you never had 1 *l.* before at Mr. Garrold's office?—No, not before that time.

503. When you got it, how long had you been out of employment?—Only from the Saturday to the Monday.

504. And you borrowed 1 *l.*?—I did not borrow it; I had it given to me.

505. You went to ask for it and got it given to you?—Yes.

506. On what Monday; will you swear that was with reference to the election?—It is hard to swear if you are not sure, is it not?

507. Will you swear that it was the second or the third Monday before the election?—I will not.

508. Or a month?—No.

509. Or five weeks?—I will not swear anything of the kind.

510. Or six weeks?—It was the first Monday after I left Heures.

511. In what month did you leave Heures?—That I could not say.

512. How long had you been with Heure?—About 11 months.

513. When did you go to him?—I think it was in July.

514. You went to Heure in the July before?—I think so.

515. Cannot you tell us when your service with Heure began?—Not till I look at letters or books.

516. Did you get your wages when you left Heure?—Yes.

517. How much did you receive on that Saturday?—I did not have more than 11 *s.* on that Saturday, because I had been drawing.

518. Can you not tell us in what month it was that you got the 11 *s.* on leaving Heure's employment?—No.

519. Whether it was June or May?—No.

520. Or July?—No; I would not swear to any date at all.

521. What made you say it was about a fortnight before the election?—Because I reckon that is about the time.

522. Will you say it was the second or the third Monday before the polling day?—No; I cannot say which day it was.

523. I have not asked you which day it was; will you swear that it was one of those two days?—No; not to swear it, I would not.

524. Have you any belief upon the subject?—I have had the money that I state.

525. I want

525. I want you to tell us when it was; will you fix any day on which you will swear you had the money; I will give you the choice of any Monday you like to fix; I will give you any one of two Mondays or three Mondays?—I could not say which Monday it was.

526. Will you swear that it was one of the three Mondays before the polling day, because that will do for me: will you swear it was one of the three Mondays before the polling day?—I believe it was.

527. Will you swear it?—No.

528. Now, four Mondays?—No.

529. Five Mondays?—No; I should like to know it for truth.

530. You are brought here to swear some very strong things against gentlemen, and you must take the consequences; give me any day that you dare to swear to as the time when you got that money from Mr. Garrold's office?—It was on a Monday.

531. Tell me any one of the three, four, or five Mondays?—I would not like to say any one.

532. Will you swear that it was one of the five Mondays before the polling day?—I believe it was.

533. Will you swear it, is my question; I do not ask you which; will you swear it was on one of the five Mondays before the day of the election?—I cannot recollect which Monday it was.

534. I do not ask you which Monday; I ask whether, you having said in your examination in chief that you went to Mr. Garrold's office about a fortnight before the election, you will swear that it was either one of the five Mondays before the election that you went there?—Yes, I will swear that it was one of the five.

535. Who did you see in the office when you went in the morning, besides Mr. Garrold?—Two boys.

536. In the clerks' desk?—Yes.

537. Do you know a man named Johnson, one of Mr. Garrold's clerks?—Yes.

538. Did you see him?—Not that I recollect.

539. Can you swear whether you saw him or not?—I cannot recollect whether I saw him then.

540. Let us have no mistake about this: you have told my friend that you saw Mr. Garrold in the inner room on the first-floor?—In the first-floor.

541. Was that the same room where the clerks were?—Yes; there is only a little partition; only just a desk.

542. Then it was the first room, and not the inner room?—Not the inner room.

543. You had been several times before to Mr. Garrold's house, had you not?—Yes; I knew the office.

544. Then it was the outer room where you saw Mr. Garrold?—Yes.

545. And the room in which you saw Mr. Baylis was the inner room?—Yes.

546. Did you see Johnson in the evening, when you say you saw Baylis?—I do not recollect.

547. Who did you see besides Baylis when you went in the evening?—In the evening I saw three or four men sitting on the sides.

548. Tell me any one person you can name?—I do not know their names.

549. Did you see Mr. Garrold's clerks that you had seen in the morning?—Yes, one of them; it was one of the boys that opened the door to let me in to Mr. Baylis.

W. Birch.

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550. Was your name asked when you went into the office by one of the clerks in the morning in the usual way; did you ask for Mr. Garrold?—I asked for Mr. Garrold.

551. Were you asked your name?—No, they knew me.

552. Then did they go somewhere to tell Mr. Garrold that you were there?—No; I do not believe he had come.

553. When you went in the morning, and inquired for Mr. Garrold, you were told that he had not arrived; did you wait for him?—Yes.

554. And the clerk knew you, did he?—Yes.

555. How long did you wait before Mr. Garrold arrived?—Not many minutes.

556. Did he come to the outer room where you where, and speak to you there?—I would not say which door he came in at; he came to this first floor, where I was.

557. The ground floor?—Yes.

558. As you were waiting for Mr. Garrold, did he come into that room where you were before the clerk had communicated to him?—He came in, and that is where I mentioned it to him.

559. Did the clerk go to him, or did he come in without the clerk informing him that you were there?—He came in, but whether he was fetched or not, I forget.

560. Did the clerk go to fetch him, taking your name to him; you know his room is up-stairs; did the clerk go and bring him down to you?—No, I do not think he did; he came in, but I do not know that anyone fetched him.

561. Will you swear that the clerk did not go out to fetch him, and that he came to you?—I do not swear anything about the clerk coming and fetching him.

562. In the evening, when you went there, was your name taken in to the inner room by one of the clerks?—I was shown into the next room.

563. The moment you arrived?—Yes.

564. The moment you opened the door in the outer office, did the clerk show you at once into an inner room?—When I was inside.

565. Without any question being asked when you went in the evening, and got the 1*l.*—first give me your version—when you got into the outer room, what passed?—I was shown in to Mr. Baylis.

566. Without your saying anything?—I was surprised to see Mr. Baylis there.

567. Never mind about your surprise—perhaps it did not exceed ours at hearing what you have said here; let us know what happened when you got there in the evening?—I was shown in to Mr. Baylis.

568. Did you not inquire, or ask any question before you were shown into the inner room?—I do not recollect that I did.

569. Did you speak to the clerks?—I saw the two boys.

570. Was Johnson there?—No.

571. You know Mr. Garrold's man, Bird?—I have seen two boys there, but I do not know their names.

572. Do you know a person named Bird in his office?—No.

573. Did you speak to either of those boys when you went in the evening?—I said, I had to come at five o'clock.

574. You said to the boy, "I was to come here at five o'clock"?—Yes.

 575. Did

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575. Did you tell him for what you were to go there?—No.

576. When you came and said, "I was to come here at five o'clock," did you tell them who you had come to meet, who did you go to meet?—I did not know who.

577. Did you not expect to see Mr. Garrold?—No.

578. Who did you expect to see then when you went in the evening?—I did not know who to expect.

579. You mean to swear that?—Yes.

580. Then, of course, you spoke to the clerk; what did you say to him before you were shown in?—I do not recollect saying anything.

581. You went into the outer office, and without a word being spoken, you say a clerk showed you in to Mr. Baylis; is that what you represent?—He showed me in.

582. Without a word being said by you, I thought you told me just now that three or four people were waiting in the outer office?—So there were.

583. And do you mean to swear that you were at once shown into the inner room without a word being said by you?—Yes; I do not recollect saying anything.

584. Who showed you in?—One of the boys.

585. And you represent that that was without a word being said on your part?—I do not recollect saying anything.

586. Will you swear you did not?—No; I might have said "Good-day," or anything else.

587. How soon after you had been at this time at Mr. Garrold's office, do you swear you went to Baylis's house and had the 4 *l.*?—Yes.

588. You have told us that; I want to know on what day of the week that was?—The first morning that I went was on a Tuesday morning.

589. I am speaking of the time when you saw him at breakfast, and when in the presence of his two daughters you got 4 *l.*?—That was on the Wednesday or Thursday morning.

590. After the Monday?—Yes.

591. Now, tell us what week before the election it was that you will swear you saw Baylis at breakfast?—I should not think it was more than a fortnight or three weeks; a fortnight, I should think.

592. Fix any time you like?—About a fortnight.

593. There is only one Wednesday in the week at Hereford, as well as in other places?—About a fortnight.

594. Then I may take it that it was the Wednesday week before the polling day, the second Wednesday before the polling day?—The second or third.

595. And you say Baylis said, "I hope you will say nothing, or it will ruin me," when he gave you the sovereign; did you say that you would not say anything?—I said, "All right."

596. And did you mean to tell, and to ruin him at that time?—No.

597. When did you first mention to anybody what Baylis had done?—About two or three months ago.

598. To whom did you mention it?—If it does not make any difference, I should not like to say.

599. But it does make a great deal of difference, and we mean to have it all out here; tell us, and be careful to tell us the truth.—Well, it was Mr. Heure that I first told it to.

600. Heure, the butcher?—Yes.

601. Did he come, then, to make inquiries of you?—He came to see me.

602. About this?—He came to see me.

603. What did he come to see you about?—About sending some dead meat up to the market here, and then to see me at the same time.

604. Where were you when he came to you?—In Bermondsey.

605. You had left Hereford, and come to Bermondsey?—Yes.

606. When did you leave Hereford; how soon after the election?—About last October.

607. Heure came to see you at Bermondsey?—Yes.

608. And did he then make inquiry of you about the election?—He asked me if ever I had had anything of the kind.

609. If you had had any money?—Yes.

610. Did you then tell him about Baylis?—Yes; I told him I had.

611. From Baylis?—Yes.

612. Who came to you after Mr. Heure came to you; what professional man came to you, to take down your evidence?—Who came to me?

613. That is my question; or who did you go to?—A gentleman came to me from the Southwark Court, the County Court.

614. Do you mean Mr. Bodenham?—No, Mr. James.

615. The brother of Mr. James, Mr. Bodenham's partner, the clerk of the County Court there?—Yes, he has something to do with it.

616. Were you in the County Court, at that time, on any process?—No.

617. Did he take down in writing what you had to say?—Yes.

618. Have you had any money?—No.

619. Not from him, or from anybody?—I have had some money.

620. From whom?—Mr. James.

621. From Mr. James?—Yes.

622. How much?—I had 2 *s.* one time, when he was taking it down, and 5 *s.* another; that was when he was taking down what I had to say.

623. Do you mean to swear that that is all the money you have had?—Another time I had 3 *s.*

624. From Mr. James?—Yes.

625. What other money have you had from Mr. James?—No other.

626. Had you not some money given to you when you were served with a notice to come here?—Oh, I went up, and he gave me 2 *s.*

627. You went up where?—To the Southwark Court.

628. Your memory is getting much better, now I am jogging you?—It was to pay my cab hire.

629. What else had you?—I had a sausage and a pint of beer.

630. With Mr. James?—No, not with him.

631. At his expense?—At his expense.

632. Well?—And a mutton chop and two or three potatoes at another time.

633. Are you a married man?—Yes.

634. When you left Hereford, did you happen to leave your wife and family behind you?—Yes.

635. How many weeks have you been in prison since the election?—Never in my life.

636. Do you mean to swear that you have not had six weeks in prison?—No, nor half of six minutes.

637. Not for deserting your wife and family?—No;

—No, I never deserted my wife and family; I went to prepare a home for her, and she knew of it.

638. If I understand you rightly, you met Baylis in Blue School-lane?—Yes.

639. And he told you to go to the "Old Harp"?—Yes.

640. If he had left you in Blue School-lane, how came you to ask for him in the "Wellington?"—Because I was told he had gone there.

641. I thought you had left him in Blue School-lane?—Yes.

642. Does Blue School-lane lead to the "Wellington"?—Yes.

643. And Baylis was going in an opposite direction to that in which you were going?—Yes, Baylis was going towards the "Wellington," and I was going away from it.

644. And there was nobody in the room where Baylis was when you went in?—No.

645. Do you swear that you said nothing to Baylis when you went into the room; that you went in and he gave you 5*l.* and said nothing?—I said no more than showed him the cards.

646. Do you swear that you merely showed him the cards, and that he gave you 5*l.* without anything more passing?—Yes; I mean to say there was nothing said.

647. You went in, said nothing; he gave you 5*l.*, you showed him two cards, and he told you where to vote; do you swear that that is exactly what happened?—I do not recollect anything particular being said.

648. Do you swear that you walked into that room and said nothing to Baylis; I only want to know what your version is?—I might have said, "Holloa! here you are!" or something like that, but nothing more.

649. Nothing more passed?—Yes, he passed me the 5*l.*

650. In a note, or sovereigns?—In sovereigns.

651. Five sovereigns?—No, two of them were half sovereigns.

652. Then you pulled out the cards, and said, "Where am I to vote?"—I said, "Look here, I have two cards;" and he says, "Vote for Widemarsh."

653. And that was all that passed between you; not a word was said by Baylis?—No; only, "Get up soon; vote early."

654. On the occasion when you say his daughters were present, and he gave you money, tell us what you swear passed; you found him at breakfast; what did you say, or what do you represent he said?—He said that he would make out this note, and I was to sign it.

655. I want to know what you said when you went in; did Baylis speak first, or did you?—He said, "Come in; do not be frightened at the dog."

656. Well?—Then he drawed up this paper.

657. Did he sit down to the table to do it?—There was the breakfast table, and there was another little table at the front of the window; this little table is where he wrote out the bill, and gave me the money.

658. Do you swear that his daughters could see it?—They was in the same room.

659. Could they see you there?—Oh, yes.

660. Could they see you take the money, if you really had it?—They could if they liked.

661. Was it counted on the table or desk?—I think he put it into my hand. *W. Birch.*

662. Do you swear that he put it into your hand or on the table; whichever you like, only I want to know which you mean to swear?—He put it into my hand. 4 May 1866.

663. And the two girls saw it?—Well, I will not say they saw it.

664. Must they have seen it; do you believe they saw it?—I say, they could have seen it, I dare say, if they had liked.

665. Would they hear any conversation between you and their father about the money?—No, I do not suppose they understood that.

666. What was said; you vouch they were present; I want to know what you mean to say they did hear and did see?—I will not say what they seen or heard. I cannot say that they see me there.

667. Did you sit down?—No, I did not sit at all.

668. How long were you there?—Not above seven or ten minutes, at the outside.

669. Did the father leave the breakfast table to write the receipt?—Yes, he left the table to come to the little table.

670. Had you your back to the young women?—I sat like this, and they were outside here.

671. They could see you?—Yes.

672. Is it a small room?—No, it is a largish kitchen.

673. There was nothing to prevent them seeing you there?—No.

Re-examined by Mr. Serjeant *Ballantine.*

674. You have no doubt that these young ladies did see you?—They could see me if they liked, and I believe they did.

675. What ages are they; are they young women?—I should think one would be about 17, and the other 23 or 24.

676. Is there any pretence whatever for saying that you deserted your wife?—Oh dear, no. I never deserted my wife in my life.

677. Have you ever been in prison?—No, never; nor none of my family.

678. Mr. Heure is a master butcher, is he not?—Yes.

679. Are you in his service now?—No.

680. Are you in anybody's service?—Mr. Pettit, of Blue Anchor-road.

681. Had you any quarrel with Mr. Heure?—I had a few words with him.

682. And you left him?—Yes.

683. Are you able to find out the exact day when you left him?—Yes, I believe I can.

684. You have not the means at this moment in your possession to tell the day upon which you left?—No.

685. Have you documents which will enable you to find it out?—I believe I can.

686. Have you any doubt it was the Monday following the dismissal that you got the sovereign?—No, I have no doubt at all.

687. You know these two boys at Mr. Garrold's office?—Yes, I have seen them.

688. And you have no doubt they were there?—I have no doubt they were there.

[The Witness withdrew.

HENRY EVANS, sworn; Examined by Mr. *Macnamara*.

H. Evans.

4 May 1866.

689. I BELIEVE you are a Baker?—Yes.

690. Living in the Hereford city?—Yes.

691. And at the last election you were a voter, as a householder?—Yes.

692. Do you know Mr. Philip Ralph, the druggist, in High Town?—Yes.

693. In the city?—Yes.

694. Shortly before the election, did you go into his shop?—Yes.

695. About how long before the election would that be?—I daresay it would be a fortnight.

696. Did you see Mr. Ralph there?—Yes.

697. Did he say anything to you; and, if so, what?—He asked me if I would promise him my vote for Mr. Baggallay.

698. State what passed between you?—I said I would. That is all that passed.

699. Was anything said about any money?—No, not a farthing.

700. Did you go to his shop a day or two afterwards?—Yes, I did.

701. Did any money pass upon that occasion?—No, not a halfpenny.

702. You have been examined before as to this matter, have you not?

Mr. *Cooke* objected to the question.

Mr. Serjeant *Ballantine* insisted on the right to treat this witness as a hostile witness, and to cross-examine him in that capacity.

703. Mr. Serjeant *Ballantine.*] Have you made a statement upon this matter to this gentleman, Mr. Bodenham?—Yes, I have.

704. Did you tell Mr. Bodenham that Mr. Ralph had promised you 8 *l.*, and paid 5 *l.* to your wife in your presence?—I told him that, but I told him a lie.

705. What made you tell Mr. Bodenham a lie?—Because a person of the name of Treen, a coal merchant in Hereford, asked me if I had had any money, and I says "Yes;" and he promised me 10 *l.*, and gave me a sovereign towards it. I told him a lie on purpose to get money from him.

706. You told a lie for the purpose of cheating him of his money?—Yes.

707. Did you induce your wife also to tell a lie?—I do not know anything about that.

708. Is your wife here?—Yes.

709. Did you say that 5 *l.* was given to your wife?—Yes, I did.

710. Did you say that 10 *s.* was given to yourself?—Yes, I did.

711. Did you say that your taxes to the amount of 16 *s.* 3 *d.* were paid?—Yes, I did.

712. Did you say that Mr. Lane, the overseer of All Saints, told you it was all right, and that Mr. Garrold had seen to it?—I said that Mr. Ralph had seen to it.

713. Had your rates been paid, upon your oath?—Yes; I paid them myself.

714. Upon your oath, had not your rates been paid in your absence?—I paid them myself.

715. When?—I paid them myself.

716. When, upon your oath?—At different times.

717. Then it was a mere invention that the 16 *s.* 3 *d.* had been paid all at once?—It was not paid all at once; I paid it at different times.

718. That you swear, that you paid your rates at different times?—Yes, I will.

719. You say you told this lie to get money from him?—Yes.

720. How came you to tell this lie to Mr. Bodenham?—To have some more.

721. You did not get 10 *l.* for telling the lie?—No; Mr. Treen promised me 10 *l.*, and gave me a sovereign towards it.

722. He gave you a sovereign for your lie?—Yes.

723. And promised you 9 *l.* more?—Yes.

724. Then you went to Mr. Bodenham?—Yes, expecting to receive it.

725. And you got nothing from him?—No, except two glasses of brandy and water to make me drunk.

726. You gave your evidence to him, and saw him take it down?—Yes.

727. Did you ask him for any money?—No.

728. Why not, if you expected it?—I expected it off the man that promised me, Mr. Treen.

729. Did you apply to Treen?—Yes.

730. When?—About three days afterwards, and he said he would get it.

731. Did you not get it?—No: I got a sovereign; that was all I had.

732. Is your wife here?—Yes.

733. When did you tell the other side that all this you had been telling Mr. Bodenham was a lie?—I have not told them at all.

734. Then why did you not come up as you were desired to?—I have not told the other side at all.

735. When did you come up, and who did you come up with?—I came up with Mr. Ralph by the train.

736. Did you tell Mr. Ralph of the lie you had been telling about him?—Yes.

737. When did you tell him?—The other day, before we started.

738. When?—I told him on Wednesday.

739. What did Ralph say to you?—He told me to speak the truth, and nothing but the truth.

740. I suppose you get nothing for speaking the truth?—I cannot say.

741. As you were so willing to tell a lie for 10 *l.*, the truth must be harder work; is this to be rewarded; are you to get nothing for it?—I suppose not.

742. Do you mean to say that Ralph said nothing to you about what you were to get?—No.

743. Upon your oath, not a word?—No.

744. Has anybody?—No; he paid me my expenses up here.

745. Has anybody said you shall have 10 *l.*?—No.

746. Has anybody mentioned any amount?—Only Mr. Treen.

747. Has not Mr. Ralph?—No; Ralph never promised me a halfpenny.

748. Where did you get your expenses from to come up?—Off Mr. Ralph.

749. You had got them before from Mr. Bodenham?—In the first place I received two pounds, and one pound for my wife to come up.

750. From whom?—Mr. Bodenham.

751. How much did you get from Ralph?—He paid my expenses up.

752. How

752. How much?—I cannot say; he paid the train fare.

753. In point of fact you got the money from Bodenham for yourself and wife, and you got paid by Ralph?—Yes, he paid the train up.

754. Where are you staying; at some place Ralph took you to?—Here is my card, "Petter's Hotel, Garrick-street."

755. The fare is nineteen shillings, is it not?—I cannot say, I did not pay it.

756. Mr. *Cooke.*] You have told the truth to-day?—Yes, I have, and nothing but the truth.

757. By the *Committee.*] Did you say you had obtained two glasses of brandy and water from Mr. Bodenham?—Yes.

758. Did you say it made you drunk?—Very near. *H. Evans.* 4 May 1866.

759. Was that before or after he had taken down your examination?—At the time he was taking it down.

760. At the time he was taking down your examination he gave you these two glasses of brandy and water, which very nearly made you drunk?—Yes.

761. You were aware of what you were saying, and that he was taking it down?—Yes, I was aware of that.

762. You were not so drunk but that you were aware of what you were saying?—Oh no.

[The Witness withdrew.

Mrs. Charlotte Evans, sworn; Examined by Mr. Serjeant *Ballantine.*

763. You are the wife of Mr. Henry Evans?—Yes.

764. I dare say you remember the last election?—Yes.

765. Do you remember shortly after the election paying your rent; who is your landlord?—Mr. William Gwilliam.

766. Do you remember paying your rent?—My husband paid it, I did not.

767. Did you not pay it yourself?—No.

768. You know Mr. Ralph?—Yes.

769. Did you ever have any money from him?—No, I never had a penny piece, I will take my oath of it.

770. Have you ever said that you had?—No, I never had; I never had anything off of Mr. Ralph, further than going into his shop for medicine for myself and children.

771. Have you ever said that you had 5 *l.* from him; just recollect; it is a serious matter; you had no brandy and water?—

Mr. *Cooke* objected to the question, on the ground that the witness was not a hostile witness.

Mr. Serjeant *Ballantine* was heard against the objection. Mrs. *C. Evans.*

Mr. *Cooke* was heard in reply.

The *Chairman* said the Committee desired him to state that they were of opinion the particular question could be put and answered, but that it must probably stop there.

772. Have you said that you received in the presence of your husband the sum of 5 *l.*?—I received that much money of my husband, but not from Mr. Ralph; I never received one penny piece of Mr. Ralph.

773. When did you receive this 5 *l.*?—I could not tell you when it was.

774. Was it before the election?—No, it was not before the election.

775. After the election, was it?—Yes, off of my husband. I never received one penny piece of Mr. Ralph, and I will take my oath of it. I would not tell an untruth; it is the truth; I never received one penny from Mr. Ralph.

[The Witness withdrew.

Mr. John Ede Derry, sworn; Examined by Mr. Serjeant *Ballantine.*

776. I believe you made a statement to Mr. Bodenham upon the subject of something that you said passed before the election?—Yes.

777. With whom did you come up from Hereford?—By myself.

778. Were you alone?—Yes.

779. You did not come up with Mr. Ralph?—No.

780. Do you remember the morning of the election?—Yes.

781. Between 10 and 11 o'clock?—Yes, I remember it.

782. Do you know a person named Charles Wainscoat?—Yes, I do.

783. Did you go with him to the "Wellington Inn"?—Yes.

784. Did you see a person named Lane, an overseer, there?—Yes, I did.

785. Did Lane tell you to go anywhere?—No.

786. Did you go anywhere?—I went into the "Wellington."

787. Did you go up stairs?—Yes.

788. Who told you to go up stairs?—I went of my own accord.

789. Lane did not tell you?—No.

790. Did you go into the little room up stairs; you know the little room?—Yes, I went into the little room. Mr. *J. E. Derry.*

791. Did you find Baylis there?—Yes.

792. Anybody else?—Not that I saw.

793. Was not Ralph there?—I did not see him.

794. Did Baylis say anything about your vote?—Yes, he asked me who I was going to vote for.

795. What did you say?—For Mr. Baggallay.

796. He did not ask you to vote for him?—No.

797. Did Baylis put down any money?—I did not see him put it down.

798. Did you see any money?—Yes.

799. How much?—£ 5.

800. Where did you see it?—On the table.

801. In sovereigns?—Yes.

802. Did you do anything to it?—Yes, I picked it up.

803. Having picked it up, what did you do with it then?—I put it into my pocket.

804. How came you to do that?—Because I understood

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understood it was my expenses for leaving a job and coming there to vote, leaving Abergavenny.

805. That is about an hour's journey, is it not?—Yes, about an hour and a half's journey.

806. And how much does it cost you to come from Abergavenny?—About 2*s.* 9*d.*

807. Five pounds was good pay, was it not?—Yes, but I was bound to give up a job that would be more than 10*l.* out of my pocket.

808. How did you know that it was given to you for that purpose?—Because I made a statement before the election.

809. To whom?—To Mr. Beddoe.

810. Who is he?—A lawyer practising in Hereford.

811. What had you told Mr. Beddoe?—That I would not vote without I had my expenses paid for the job that I left.

812. What made you go to the "Wellington Inn"?—I went down there to see a friend.

813. What friend?—I went down there with Wainscoat.

814. Who did you go down to see?—I went down to see a friend of mine that was staying there?—Who?

815. I went to see a young man as was going to vote, and I was going to take him up with me.

816. Who was that?—Gray.

817. Did you take him up stairs with you to the little room?—No.

818. Was it 5*l.* put upon the table without a word being said?—Without a word.

819. Did you not see it put upon the table?—No, it was there when I went into the room.

820. You went into the room, and, as I understand, Baylis was there, and nobody else?—No.

821. And 5*l.* upon the table?—Yes.

822. Which you took up and put into your pocket without a word being said?—Yes.

823. Is that what you mean?—Yes, he simply asked who I was going to vote for; I said, "Mr. Baggallay," and that was all that passed.

824. And then you picked up the 5*l.*?—Yes.

825. Was Gray in the room with you?—No.

826. Did Baylis say, "we cannot give more than that"?—Yes, because I wanted more; I was more than that out of pocket through leaving Abergavenny to come there to vote.

827. Did you afterwards go to the "Old Harp Inn"?—Yes.

828. What did you get there?—I think I had one or two glasses of brandy.

829. Were there other voters there?—Yes.

830. Were they drinking?—Yes.

831. Did you pay anything?—No.

832. Who did pay?—I cannot tell you.

833. You did not ask?—No.

834. Did you see any money paid?—No.

835. By anybody?—No.

836. At what time was this?—Between 11 and 12 o'clock.

837. In the morning?—Yes.

838. Did you vote for Mr. Baggallay?—Yes.

Cross-examined by Mr. *Cooke.*

839. You made a statement to Mr. Frederick Bodenham?—Yes.

840. When was that?—I cannot tell when it was.

841. About?—Getting on for six months, I should think.

842. It was not long after the election, then; two or three months after the election?—Yes.

843. How came that; what took you to Mr. Frederick Bodenham?—He sent to me to go to him.

844. Where did you find him?—At his house.

845. At his private house?—Yes.

846. Had you ever been sent for to his house before?—Not that I am aware of.

847. When you got to his house, who did you find there?—First of all I saw his servant, and then I saw Mr. Bodenham himself.

848. Did he ask you to give him a statement about the election?—Yes.

849. You told him this that you have been asked about?—Yes.

850. Did you tell him that you had left a job of work at Abergavenny?—No, I did not mention it; he did not ask me, and I did not think of it.

851. You went for the purpose of splitting?—No.

852. What did you go there for?—I thought he wanted me about some work.

853. What made you make the statement?—Because he questioned me.

854. You did not tell him, then, you had come from Abergavenny?—No.

855. You knew Mr. Bodenham was the agent on the other side?—No, I did not.

856. Who did you think Mr. Bodenham was asking the questions for, then?—I did not know.

857. Did you suppose he was asking the questions for Mr. Baggallay?—Certainly I did not think that.

858. Do you mean to swear that you did not know he was one of the firm acting for Colonel Clifford and Mr. Clive?—I did not at that time.

859. You are a frequenter of Hereford by birth?—Yes.

860. And have been there at other elections?—Yes; but I did not know Mr. Frederick Bodenham was connected with the firm.

861. You did not know he was a member of that firm?—No.

862. Did you not know he was one of the most active agents at the last election?—I did not know it.

863. Do you mean to swear that you did not know Mr. Frederick Bodenham was at that time a Liberal agent?—I did not.

864. What did you suppose he was asking you these questions for?—I did not know anything about it; it took me by surprise; I did not know he wanted me upon that subject.

865. What did you suppose, when you discovered the object?—I was bound to see at once that he was the agent of the Liberals.

866. And that was the reason you told him all about it?—No, not exactly that.

867. What was the reason?—He asked me facts, and I told him the truth.

868. You did know that he was the agent, after he had put you two or three questions?—Yes.

869. What is the meaning of being asked about who you came up with; when did you receive notice to come up?—On Monday morning.

870. Were you to join Bodenham's party; were you asked to do that?—No.

871. You came up in obedience to the notification?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

872. You say when you went to Mr. Bodenham, you were not aware that he had been agent at the election?—No.

873. Are

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873. Are you in relation with him in some other way. He has, I believe, something to do with the volunteers?—Yes.

874. What is it?—I belong to the company of which he is ensign.

875. What are you, captain?—No; I am a private.

876. By the *Committee.*] When did you leave Abergavenny to come to Hereford?—On the day before the election.

877. Had you any promise of expenses before you left Abergavenny?—I was bound to give up three or four jobs.

878. Had you any promise of your expenses before you came, or did you come upon speculation?—I came on speculation.

879. You had given up the job when you had arrived at Hereford?—I felt an interest in the election. That is what brought me down. I had promised my vote.

880. Mr. *Cooke.*] You had promised your vote before?—Yes; I had promised my vote months before.

881. Who to?—To Mr. Baggallay, or rather Captain Patsole, that is the same thing.

882. By the *Committee.*] Anybody in that interest?—Yes.

CHARLES WAINSCOAT, sworn; Examined by Mr. *Macnamara.*

C. Wainscoat.

883. ARE you a Watchmaker?—Yes.

884. Living in the city of Hereford?—Yes.

885. And a voter for that city as a householder?—Yes.

886. Do you know Philip Lane, an assistant overseer?—Yes.

887. Assistant overseer for all Saints parish in Hereford?—Yes.

888. Do you remember shortly before the election his calling upon you?—Yes; I do.

889. I believe he came into your shop?—Yes.

890. When he came into your shop, what did he say to you?—He called several times.

891. On an occasion when anything passed about a watch, what did he say to you?—He said he had promised to have a watch off me, and he intended having one.

892. Did he say anything more?—He spoke to me several times about having a watch.

893. At this time, when he spoke to you about having the watch, did he say anything about the election?—Yes, he said something about it.

894. Tell us what it was?—He said something about that. I knowed what his business was. He wanted a watch, but he wanted a bit of talk with me, and I was to meet him at a certain place, and I went according to promise.

895. Where were you to meet him?—At the "Old Harp."

896. Did you go there and meet him?—Yes.

897. About how long before the election was that?—I should think it was about a fortnight.

898. When you met him there, what did he say to you?—He gave me a cigar and a glass of brandy and water.

899. What did he say to you?—We were there some time together.

900. What passed between you about the election?—He went out behind and gave me two 5 *l.* notes to vote for Mr. Baggallay. There is no use in having a lot of words about it.

901. Did he then say you were to go anywhere with him?—Yes.

902. Where to?—To the hotel.

903. To what hotel?—The "City Arms Hotel."

904. Did he say who you were to go and see there?—Mr. Llanwarne.

905. Is he a solicitor in Hereford?—Yes; I believe he is.

906. Did you go with him to the "City Arms?"—Yes, I did.

907. What room did you go to when you got there?—Upstairs. I went to a room door.

908. You know the room door which you went to?—Yes.

909. Had you ever heard speeches made from the window of that room, and, if so, by whom?—One night I did.

910. Who did you hear speak from that window?—Mr. Baggallay.

911. When you got to the door what did Mr. Lane do or say?—He gave my name in at the door. There was a young man keeping the door.

912. Did he call anyone out?—Mr. Llanwarne came out and said, "Thank you," and went back in again.

913. When Mr. Llanwarne came out, what did Mr. Lane say to him?—He said, "I have brought so-and-so," and mentioned my name, and said something of that sort.

914. And Mr. Llanwarne said "Thank you?"—Yes.

915. After that did you see Mr. Baggallay?—Yes.

916. About how long after, that?—A day or two.

917. Where did you see him?—He came to my house.

918. Where you live?—Yes.

919. What did he say to you?—He left a card there.

920. What did he say to you?—Something about voting true; I do not know exactly what it was.

921. Try and recollect?—He said, "Vote true blue," or some such words as that; I think it was, "Vote according to the colour of the card," or something of that sort.

922. Did he say anything about your voting for him; about his knowing you were going to vote for him?—I do not know that he said that; he said, "Vote true to the colour of the card."

923. You do not remember anything more he said?—No; it was something similar to that.

924. On the evening of that day, did Lane come into your shop, or, shortly before the election, do you remember his buying a watch in your shop?—Yes.

925. Did he have a watch from you?—No; on that day of my seeing him at the "Old Harp," there was a letter sent to London for a watch to suit him.

926. Did he buy a watch from you about that time?—He had the watch the morning of the election.

927. Did he pay you for the watch?—Yes.

928. How much did he pay you for the watch?—£6. 10*s.*

929. With whom did you go up to the poll, on the polling day?—With Mr. Lane; he called for me.

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930. Do you remember on the morning of the election going to the "Wellington Inn" with John Derry?—Yes.

931. Did you meet Lane there?—No, not there.

932. Did you see Lane there?—I seen him in the street.

933. After you got to the "Wellington Inn" with John Derry, did you see Derry go anywhere?—Yes.

934. Where did he go?—He went in a little room.

935. Is that upstairs in the "Wellington Inn?—Yes, upstairs.

Cross-examined by Mr. *Giffard.*

936. Just let me understand; the watch, I think you say, was paid for on the morning of the election?—No, not the morning of the election; he paid me the night that I had the two 5*l.* notes; he gave me ten half sovereigns, and there was a balance of 30*s.* left.

937. One thing at a time; had the purchase of the watch anything to do with your vote, was that part of the bribe?—He told me if I done as he wished me to do, he would give me an order for a watch as he had promised some time ago.

938. Was 6*l.* 10*s.* the proper price for the watch, or was it a bribe; is that the price you would have charged for the watch, whether there had been an election or not?—Yes, it would have been a fair price for it; in fact, 6*l.* 10*s.* was the price of the watch.

939. Was the giving you the ten half sovereigns at the same time as you received the two 5*l.* notes?—The same night.

940. You have said that before; but was it at the same time?—No.

941. Whereabouts was it he gave you the two 5*l.* notes?—At the "Old Harp."

942. Where in the "Old Harp"?—In the water-closet.

943. Was there any light there?—It was daylight.

944. It was light, so that you could see?—It was as light as it is now.

945. Was there a light in the water-closet?—The water-closet is open. There is no top to it.

946. I presume there was no one else besides you two in the water-closet; is that so?—Yes.

947. There was no one else who could see what passed between you?—I do not think there was.

948. Where had you been before you went to the water-closet?—In the smoke-room.

949. When you went out of the smoke-room, did he tell you where to come?—He called me out.

950. What did he say?—He said he wanted to speak to me.

951. What did you say?—I went with him.

952. Did you say anything, or not?—No, not till I got there.

953. When he said, I want to speak to you, what next happened; did you go out of the room, or did he go out of the room, or what; tell us how it happened?—I had a cigar and a glass of brandy and water.

954. That you have told us before?—No; the first time, and then when I was in the room, he called me out.

955. Was he in the room at the same time as you were when he called you out?—Yes, he went outside, and then he came back to the door, and called me out.

956. He went out of the room first, then came back, and called you out?—Yes.

957. He was at the door calling you out?—Yes.

958. Was anyone in the room when he called you out?—Yes.

959. Can you mention anyone who was present?—Yes, I can mention one or two, perhaps; but it is a house I do not often go to.

960. But you would know the names of the people who were in the room?—No, because I do not know the customers.

961. Can you tell me the name of one?—There was Grubham.

962. Do you know any other?—No.

963. What is Grubham by trade?—A labourer.

964. Have you seen him up here in London?—No.

965. Do you know where he works?—No; I know nothing about him.

966. How come you to know his name?—I know his father.

967. Where does his father live?—He is the mayor's porter. He attends the court on Monday.

968. He was present, was he?—Yes, he was in the room, but he was drunk then.

969. Was he near enough to see Lane come into the room and beckon you out?—It was a planned job that we were to go out together.

970. Never mind that; was he near enough to see Lane come into the room, and beckon you out?—He was across the other side of the room.

971. Was he near enough to see you go out of the room?—He was drunk; he sat in the corner drunk; that is the only one I know.

972. The only person you can mention as being near enough to see you was a man sitting in the corner drunk?—That was the only one I noticed; I did not go there to see who was there.

973. You cannot mention the name of any other person who was there at that time?—I did not look at them particularly.

974. Never mind whether you looked at them particularly or not; can you mention the name of any other person who was there at that time?—Mr. Baylis was in and out of the room.

975. Do you mean to swear that Mr. Baylis was in the room at the time that Lane came into the room and beckoned you out of it?—Yes, he was.

976. When you went out into this place, did anything pass between you besides his handing you over the money?—A little.

977. Tell us what it was; I do not know what there is to laugh at?—When he gave me the money he told me to keep it dark, and say nothing.

978. Was that all that passed?—There?

979. That is my question; did anything more pass there at that time?—Where?

980. Do you mean to swear that you do not know what place I am asking you about; I will have an answer to that question?—In the room?

981. Do you mean to swear that you do not know what place I am asking you about?—You have asked me about in the closet and in the room.

982. Do you mean to swear that you do not know what place I am asking you about; this is not a joke; answer the question?—You have

asked

aske d me about being out of the house, and in the h ouse.

983. That is no answer; do you mean to swear that y ou do not know what place I refer to in my questi on?—I do not know whether you mean in the ho use or out.

984. Do you mean to swear that?—Yes; I do not re collect the words, whether you said in the house or out.

985. You have told me, that in the closet, when he gave you the money, he said you were to keep it dark, and say nothing more about it?—Yes.

986. Was anything more said in the closet?—No; we went into the smoke-room.

987. Nothing more was said?—No, nothing of no account.

988. Was anything more said?—No; he said, "Keep it dark, and come on and have something to drink."

989. Was nothing said about who you were to vote for?—I knew that before I had the money.

990. Never mind that; was nothing said about who you were to vote for?—Yes, a week before.

991. At that place, I mean?—I was to go there to have the money from him.

992. Was anything said about who you were to vote for at that time and place?—I was told if I would vote for him I was to go there and have the money.

993. Was anything said at that time, and at that place, who you were to vote for?—He gave me the money to vote.

994. That is no answer to my question; was anything said at that time, and in that place, as to who you were to vote for?—He told me in the closet what the money was given for.

995. What did he say?—To vote.

996. What did he say?—He offered me 5 *l.*, and then he rose to 10 *l.*

997. What did you say to that?—I said other people were having 15 *l.*, and he said that no one was; "it is a mistake of yourn, the highest has only had 10 *l.*"

998. How long do you suppose this conversation between you and Lane in the water-closet lasted?—Not over five minutes.

999. Have we got it all now; you told me, just now, that all that passed was that you were to keep it dark; was there anything more said; you may have forgotten it; just consider?—He told me that if I opened my mouth it would be the ruin of him.

1000. Have we now got all that passed in the water-closet?—I think that is about all.

1001. Did you agree to vote for Mr. Baggallay if you got 10 *l.*?—He took me to the hotel.

1002. Did you say you would vote for Mr. Baggallay if you got 10 *l.*?—Yes, of course I did.

1003. What did you say, let us have the bargain?—The bargain was, he said of course you will do so-and-so; and I said "Yes, of course I shall," and he said "Just come up to the hotel and have your name put down."

1004. Did he use the words "so-and-so"?—He left me to understand which way I was to vote.

1005. Tell us what he said, and we will understand what he meant; what did he say?—He spoke about the watch three or four times.

1006. In the water-closet?—No, days before.

1007. I am asking you about what took place in the water-closet, and you know that very well?—First of all, he gave me the money, and then he took me back, and then we went in and had a glass of something.

1008. Do you mean that he gave you the money first; I thought you said just now there was a chaffering about it, whether it was to be 5 *l.* or 10 *l.*?—That was in the room.

1009. Do you mean to swear that the conversation about the 5 *l.* or 10 *l.* was in the room?—Yes, in the smoke room.

1010. Was anything said, in the water-closet, about whether you were to have 5 *l.* or 10 *l.*?—No, I do not know that there was anything said in the water-closet about it.

1011. What you have been telling us about the offer of 5 *l.*, which afterwards rose to 10 *l.*, took place in the smoke room?—Yes.

1012. Was that immediately before you two went out of the water-closet?—It may have been a quarter of an hour; I had a glass of something to drink, and a cigar, I know.

1013. Is it a fact, that all that passed in the water-closet was handing you over the money and telling you to keep it dark?—Yes, something similar to that, but I cannot say to a word or two.

1014. No part of the bargain was made in the water-closet; that bargain was made in the smoke room?—He said something about keeping it quiet or dark.

1015. No part of the bargain took place in the water-closet?—No, not in the closet.

1016. The bargain was made in the smoking room?—Yes.

1017. I think you said several persons were in the smoking room, though you cannot mention their names?—Yes, there were five or six, or seven.

1018. What sort of room is it?—A tidy sized smoking room.

1019. Were there other persons near enough to hear you talking about this?—They were in the room; the room is not very big; they were all there what was there.

1020. I want to know whether they were near enough to hear what was passing between you and Lane?—No, we did not let them hear that.

1021. You whispered?—Yes, we did.

1022. Were you sitting or standing?—Sitting down.

1023. Where?—Not exactly in the centre of the room, and not far off.

1024. Are there more tables than one in that room?—Yes, four or five.

1025. Was anybody at the same table that you and Lane were sitting at?—I think not.

1026. Will you swear there was not?—I do not think anyone was at the same table. The tables were not larger than this one here.

1027. Are there seats all round the room?—Yes.

1028. You said you were to go to the hotel and have your name put down?—I went with Mr. Lane.

1029. I want to know what was arranged about that; who said you were to go to the hotel and have your name put down?—Mr. Lane.

1030. Where was it he said that?—He took me to the "City Arms."

1031. Where was it he said it?—I was going to leave the "Old Harp," and he said, "you have got to come with me."

1032. I think you said you saw another gentleman and Mr. Llanwarne?—Yes.

1033. What

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1033. What passed when Mr. Llanwarn came out; did Lane say you were going to vote for Mr. Baggallay?—No, I do not know that he said that.

1034. What was said?—Mr. Llanwarn was asked for, and the young man that was holding the door opened the door, and Mr. Llanwarn came to the door and said, "What is your name;" I told him, and he said, "Thank you."

1035. Is that all that passed?—Yes.

1036. You did not have your name put down?—I gave my name. I do not know whether they put it down or not.

1037. You simply gave your name, and Mr. Llanwarn said, "Thank you," and there was an end of it?—Yes, that was all that passed.

1038. You saw Mr. Baggallay, I think you said, afterwards?—Yes, a day or two afterwards.

1039. Mr. Baggallay, I think you say, said to you, you were to vote according to the colour of the card he left?—Yes.

1040. That was blue, I suppose?—Yes.

1041. He was canvassing in the same street in which you lived, I suppose, at the time?—There were other gentlemen with him.

1042. He was calling at that time on all the voters?—Yes, I believe he was.

1043. You told us that Mr. Lane told you it would be the ruin of him if you did not keep it dark; when did you go and tell anyone on the other side about this transaction in the water-closet?—I did not go to anyone. I am a volunteer, and Mr. Bodenham spoke to me about it.

1044. When was that?—Some weeks, or months, I might say, after the election.

1045. When was it?—I did not attend drill.

1046. I am asking you a question about date; when was it you had this communication with Mr. Bodenham?—I cannot tell you exactly.

1047. About?—Perhaps two months after the election, and perhaps more.

1048. You believe it was September?—About two months after the election; I should think it may be a little over or under.

1049. Do you believe it was in September?—I should think it was somewhere about September.

1050. You told Mr. Bodenham all you have told us to-day?—No, Mr. Bodenham spoke about the voting.

1051. When did you first tell Mr. Bodenham what you have told us to-day?—I did not tell him what I have told you to-day.

1052. Do you mean that you never told him?—No, never, what I have told you.

1053. When did you tell Mr. Bodenham what you have told my learned friend to-day;—Mr. Bodenham spoke to me about the voting.

1054. My question is, when?—About two months ago.

1055. Do you believe it was two months ago?—It may be three; I cannot say exactly to a week or two.

1056. You have been in trouble, have you not?—Yes, a good many times.

1057. Among other things, I believe you have been charged with secreting your effects from your creditors?—I do not know anything about that.

1058. Do you mean to swear that; do you mean to say that you have not been charged with secreting shares in the Hereford Freehold Land Society?—I have never been charged.

1059. You mean you have never been in custody by a policeman?—No, I do not.

1060. Have you never been accused of it?—No, never.

1061. Not before the Court of Bankruptcy?—No, never.

1062. Was it a fact that you had some shares in the Hereford Freehold Land Society?—I think I had about 10*l.*

1063. Did you give them up to your creditors at the time of your bankruptcy?—I sold them long before that.

1064. To whom?—To a Mr. Lane.

1065. Is that the same gentleman we have been speaking about to-day?—No.

1066. Did you receive money for them?—I did.

1067. Before the bankruptcy or after?—Before, 12 months pretty well.

1068. Do you know a person of the name of Hatherway?—I do.

1069. Was he your next door neighbour?—Yes, he was.

1070. Did you deposit any portion of your stock with Hatherway which you did not give up to your creditors at the time of your bankruptcy?—He bought several things off me.

1071. First of all, were several things that formed part of your stock?—No, none of my stock.

1072. Attend to the question before you answer it; did several things which once formed a portion of your stock find their way to Mr. Hatherway's premises?—No.

1073. How came Mr. Hathaway to buy things which did not form part of your stock?—I sold them to him and received part of the money, and he has got them now.

1074. Did you happen to be short before your bankruptcy?—Not very long before.

1075. How long?—I do not know; perhaps a couple of months; it might not be quite so long; I cannot say exactly to a week.

1076. Will you swear it was not within three weeks?—It was not within three weeks.

1077. Will you swear it was not within three weeks of your bankruptcy that these things were sent from your premises to Hathaway?—Yes, it was five, six, or seven weeks.

1078. Do you mean to swear it was not within three weeks?—I believe not; it was not nearly so near as that.

1079. Will you swear it?—I cannot swear to a day or two.

1080. What was the extent of their value?—I cannot say.

1081. You surely must know the value?—It is three or four years ago.

1082. Do you mean to swear you cannot recollect?—No, not to a day, or a week.

1083. I asked you as to the value of these goods that went to Hathaway shortly before your bankruptcy; do you mean to say that you can give no idea of the gross value of those things?—No, I cannot; and I do not want to know the value; I had it tried once, and I ben't come here to be tried again.

1084. You had it tried?—Yes, I did.

1085. What was the value of the things?—I do not know.

1086. About?—I have no idea.

1087. Do you mean to say you can give me no idea?—No.

1088. Cannot you give it within a sovereign or 500*l.*?—No.

1089. That you swear?—Yes; there were some

some pounds, but I do not know exactly what; it did not answer my purpose to keep it in my head.

1090. Did you leave 15 watches with your uncle shortly before your bankruptcy?—I never had 15 watches.

1091. Did you leave any watches?—No.

1092. None at all?—No.

1093. What do you mean, when you say that that matter of the deposit with Hathaway had been tried once before?—I spoke about the bankruptcy job.

1094. Never mind the bankruptcy job; you said that matter had been tried once before; what did you refer to?—The bankruptcy job.

1095. How do you mean it had been tried before?—I went to Birmingham three or four times, and got through it.

1096. How did you get through it?—I do not know. I got through it, and I do not want to know how.

Re-examined by Mr. Serjeant *Ballantine*.

1097. Were you tried?—Yes.

1098. How do you mean tried?—I had three or four hearings.

1099. You mean before the Commissioner?—Yes.

1100. What became of you after all?—I was discharged. *C. Wainscoat.* 4 May 1866.

1101. You were never in custody at all?—No.

1102. I hope you never deserted your wife and family?—I think too much about them for that.

1103. You went to this house, where there seems to be a water-closet, and you went there by arrangement; is that so?—Yes.

1104. When was the arrangement made?—In the evening.

1105. You say you saw Baylis coming in and out?—Yes.

1106. What was he doing?—Messing about.

1107. Had you made the bargain for 5 *l.* or 10 *l.* before you went into the closet, or when you went in?—I did not make a bargain for any amount, like; I went on spec.

1108. As a good many others did?—Yes.

1109. You had heard that votes went as high as 15 *l.*?—Yes.

1110. And you reminded Lane of that?—Yes, I did; and he said it was false; that 10 *l.* was the highest.

1111. How was it you got the highest; from having been a watchmaker, and having been once through the Bankruptcy Court?—Very likely.

1112. Had you voted before?—Never.

[The Witness withdrew.

EDWARD TYLER, sworn; Examined by Mr. *Macnamara*.

1113. ARE you an Engine Driver?—Yes. *E. Tyler.*

1114. On the Great Western Railway?—Yes.

1115. And you live in Hereford?—Yes.

1116. At the time of the last election you had a vote for the city?—Yes.

1117. As a householder?—Yes.

1118. Do you know George Dowdeswell?—Yes.

1119. What is he?—An engine driver.

1120. In the same employment as you are?—He is on the Hereford and Brecon line.

1121. Shortly before the last election, do you remember seeing him?—Yes.

1122. About how long before the election was that?—About a fortnight.

1123. Did he say anything to you about your vote?—Yes.

1124. What did he say?—He asked me who I was going to vote for.

1125. What did you say?—I told him that I did not know who I was going to vote for.

1126. What did he say to you then?—He told me to keep my vote to myself; that there would be some good to be done with it this time.

1127. Did he say anything more to you upon that occasion?—No.

1128. Soon after that, did he call at your house?—Yes.

1129. Your wife only saw him upon that occasion, I think; you did not see him?—No; I did not see him.

1130. Your wife has just been confined; is that so?—Yes.

1131. Did you see him about that time?—I remember seeing him once; I think that was all.

1132. Did he mention any sum of money to you?—Yes; he told me if I would let him have my vote, he would give me 3 *l.* for it.

1133. Did he say on which side that was?—Yes; on the Tory side, he said.

1134. Do you know James Morgan, of St. Owen's-street, Hereford?—Yes.

1135. He is a haullier?—Yes.

1136. Is he a voter for the city too?—Indeed I do not know; I think he is.

1137. Do you remember seeing him just before the election?—Yes.

1138. How long before?—The Tuesday before.

1139. What did he say to you then?—He asked me who I was going to vote for.

1140. What did you say?—I told him I did not know; I had not made up my mind.

1141. What did he say to you?—He told me if I would go and vote for Mr. Baggallay's side, he would do some good to me.

1142. Did he name anyone that you were to go to?—Yes.

1143. Who to?—To Mr. Griffiths, the blacksmith.

1144. Is that John Griffiths?—Yes, of New Market-street.

1145. Did you go to Griffiths?—Yes.

1146. When you saw Griffiths, what did you say to him?—

Mr. *Griffiths* objected to the question, on the ground that Griffiths was not down on the list as one of the persons bribing.

The question was waived.

1147. Where did you go to then?—To the public-house at the corner of New Market-street.

1148. What is the name of it?—I could not say.

1149. Do you know the "Wellington"?—Yes.

1150. Was that it?—Yes, that is the name.

1151. On the day of the election, did you go to another public-house?—Yes.

1152. Which one was that?—The "Old Harp."

1153. Who did you see when you got there?—There were a great many.

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1154. Give me a few of the names of those that you know; did you see John Griffiths there?—Yes.

1155. Do you know William Daddle and John Daddle?—Yes.

1156. Were they there?—Yes.

Mr. *Macnamara* stated that Griffiths's name was down on the list; Tyler's name being entered in two separate places.

Mr. *Cooke* insisted that one must be struck out.

The *Chairman* stated, the Committee were of opinion, there only being one Edward Tyler on the register, the sitting Member could not be misled.

1157. You have told us that James Morgan told you to go to John Griffiths?—Yes.

1158. And you saw John Griffiths?—Yes.

1159. Tell us, when you saw John Griffiths, what passed between you and him?—He asked me to let him have my vote.

1160. Did he say for whom, and on what side?—Yes, for Mr. Baggallay.

1161. By the *Committee.*] Where was this?—At the "Wellington."

1162. Mr. *Macnamara.*] When he asked that, what did you say?—I told him I would vote for him in case he gave me the same as he talked of giving.

1163. Had you heard him talk of giving anything for the vote?—No, I had heard others.

1164. When you said that to him, what did he say or do?—He gave me 5 *l.* in money.

1165. Griffiths did?—Yes.

1166. What did he say to you when he gave it to you?—He told me to keep it quiet, and on the morning of the polling day I should have 5 *l.* more.

1167. Then you went to the "Old Harp," where you saw the persons whose names you have mentioned?—Yes.

1168. While you were there, did you see William Preece, the landlord of the "Old Harp"?—Yes.

1169. Did he come up to you, and say something to you, and, if so, what?—He came and asked me if I would ride up to the booth and poll.

1170. What did you say?—I told him I would rather walk.

1171. What else did you say?—He gave me a 5 *l.* note, and I went up and polled.

1171*. Before he gave you the 5 *l.* note, what did Preece say to you?—He told me to go up and poll, and that I should have the money after I had polled; but I said I would have the money before; what I meant having, I told him, I should have it before.

1172. When you said you would have it before, what did he do?—He pulled out a 5 *l.* note out of his pocket and gave it to me.

Adjourned to To-morrow, at Eleven o'clock.

Saturday, 5th May 1866.

ADMIRAL THE HONOURABLE ARTHUR DUNCOMBE, CHAIRMAN.

The Names of the Members were called over;—all present.

EDWARD TYLER, recalled; and sworn. Cross-examined by Mr. *Cooke*.

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1173. YOU have told us that George Dowdeswell is an engine driver on the railway which you belong to; is that so?—I did belong to it, but I do not now.

1174. When did you leave?—Last October.

1175. What are you doing now by way of work?—I am at the Barton Station, in the shops, repairing engines.

1176. You are still in the service of the company?—Yes.

1177. What do you mean by saying that you left last October?—I left the Hay and Brecon Company.

1178. And got an appointment in the Great Western?—Yes.

1179. Mr. Bodenham is one of the directors, is he not?—I do not know.

1180. Do you mean to swear that you do not know whether Mr. Bodenham is one of the directors of the company that you have now got into?—He is a man I never spoke to.

1181. Will you swear you do not know that he is one of the directors of the company?—I have heard people say so.

1182. To whom did you apply to get the situation you hold now?—Mr. Price.

1183. Mr. Price, the manager?—Yes.

1184. Did you see Mr. Price at the election?—No.

1185. Did he canvass you for your vote at the last election?—No.

1186. Did he speak to you on the subject?—No, I was not there.

1187. You were a voter for Hereford?—Yes.

1188. Did anyone canvass you to vote for Clive and Clifford?—No.

1189. Where do you swear it was that George Dowdeswell spoke to you about your vote?—He is the first man.

1190. When and where did he speak to you?—At the Hay and Brecon Station.

1191. What station?—The station that used to be made use of at the end next to Hereford.

1192. It had a name, I suppose?—The Hay and Brecon Station; I knew of no other.

1193. The terminus?—It was where they used to run into before they run into the Barton Station; it was a temporary station.

1194. Was the old terminus at the Hereford end?—Yes.

1195. Can you fix the time when this occurred?—No, I could not.

1196. Was anybody else present when he spoke to you?—No one that I am aware of; not to take any notice of it.

1197. Nobody but you two?—No.

1198. Can you tell me whether it was morning or evening?—I think it was in the morning part.

1199. Will you swear that it was in the morning part?—Yes.

1200. I am going to call the man himself, and that is the reason why I am asking you these questions; let us have the time and the place, so that there may be no mistake about it; I am told that I am to call Dowdeswell here as a witness presently; and therefore be particular in what you say; do you swear that it was in the morning or in the evening part that you spoke to him?—I could not say.

1201. Was it once, or more than once?—Twice he saw me.

1202. Were both the occasions at the terminus?—Yes.

1203. I thought you said that he called at your house?—So he did in the meantime, but I was not at home,

1204. Which is the occasion on which you will swear he told you that he would give you 5 *l.* for your vote?—The first time he saw me.

1205. Did you agree to take it?—No.

1206. Did you agree to take it the second time?—No, neither time.

1207. With regard to Mr. Griffiths, a blacksmith, where do you say it was that he spoke to you?—In at the "Wellington Arms."

1208. That is a small public-house at one end of the town, is it not?—Yes.

1209. At the end of Widemarsh-street?—Yes, it runs into Widemarsh-street.

1210. At the end of Wall-street?—Yes.

1211. What took you to the "Wellington"?—Griffiths took me there.

1212. What took you to the "Old Harp"?—We was to meet there the morning of the election. I was to be at the "Old Harp."

1213. By whose desire?—Griffiths'.

1214. That is another small public-house, is it not?—Yes.

1215. In the same neighbourhood?—Yes; it is another public-house.

1216. Was it at the "Wellington" or at the "Old Harp" that you spoke to him, and said you would vote for him in case he would give you the sum?—At the "Wellington" I spoke to Griffiths.

1217. When had he said to you that he would give you any sum; you say, "I told him I would vote for him in case he gave me the sum

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he had talked of giving"?—He had not talked to me; he talked to others; that was the word I heard from James Morgan.

1218. Where do you mean to swear he gave you 5 *l.*?—In at the "Wellington."

1219. In some room, I suppose?—In the back yard.

1220. Was anybody present?—No.

1221. What time of day was it?—That I could not say rightly.

1222. You say you got 5 *l.* in the back yard of the "Wellington," and yet you cannot tell me what time in the day it was when you got it?—It must have been the morning part, I think.

1223. There are a good many hours in a July day in the morning part; can you not tell me when it was?—I did not take particular notice of the time.

1224. But I must have some time fixed?—I could not say to take my oath to it.

1225. Was it before eight o'clock?—No, it was after eight in the morning.

1226. Was it before 10 o'clock?—It was in the morning part, between breakfast and dinner.

1227. At what time did you get to the "Wellington" that morning?—I did not take particular notice.

1228. Did you get there before 10?—I could not possibly say.

1229. Where did you start from to go there?—From my own house in Berrington-street.

1230. At what time did you leave home?—Perhaps it might be 10 or 11 o'clock.

1231. Or 12?—No; not so late as that, I think.

1232. Will you swear that it was before 11?—No; I would not.

1233. Was it after 11?—I could not possibly say.

1234. Was it before 12?—I could not pretend to tell the time.

1235. Was it before one?—I could not tell.

1236. Was it after one?—I cannot tell the time.

1237. Was it before two?—I could not tell.

1238. Was it after two o'clock?—I could not say.

1239. Was it before three o'clock?—I cannot say.

1240. Was it after three o'clock?—I could not tell you for a certainty.

1241. Was it before mid-day or after mid-day?—It was in the morning, before dinner time; between breakfast and dinner.

1242. You just now told me you would not swear whether it was before one o'clock or not?—I would not swear to any time. I will take my oath that I had the money, but I did not take notice of the time at all.

1243. How long were you in the "Wellington" at this time, when you say you had the money?—I might have been there half-an-hour.

1244. Were you there as much as half-an-hour?—Yes.

1245. Where were you during that half-hour?—Having a glass of beer with him.

1246. In what part of the place?—In at the bar.

1247. Can you tell me the name of anyone who saw you there?—There was plenty of people there, but nobody whose name I know.

1248. Were you standing in the passage outside the bar with him?—We was in the bar walking backwards and forwards together.

1249. Was some person in the bar serving?—Yes.

1250. Could that person see you?—Yes; they ought to do.

1251. Now tell me at what time it was, when, as you say, you had the beer, and were there for half-an-hour?—That I could not tell.

1252. Did you go to poll immediately after you had left the "Wellington"?—No; that was the Tuesday before the election; either the Monday or the Tuesday, I forget which.

1253. This which you tell us about Griffiths was on the Tuesday?—Yes; before the election.

1254. Before the nomination?—Yes.

1255. Can you not tell me what time on that Tuesday it was when you spent half-an-hour in this public-house?—I would not pretend to say.

1256. Where did you go when you left the "Wellington"?—I went back home.

1257. Did you remain idle the rest of the day?—Yes.

1258. Were you at work on the day of the nomination?—No.

1259. Were you at work on the day of the polling?—Yes.

1260. At what time in the morning did you vote on the polling day?—About 11 o'clock.

1261. Can you not give me some notion of when you will swear you spent half-an-hour at the "Wellington"?—I could not pretend to say.

1262. Did you go there soon after you had your breakfast?—I could not tell.

1263. What did you do after you had had your breakfast?—Not anything that I know of; I was walking about the street, and talking to one and another ever so long, and I could not tell the time I was detained.

1264. Can you not tell within half-an-hour?—No; I would not pretend to say within an hour.

1265. As I understand you, you agreed with Griffiths to vote for that 5 *l.*?—Yes; and he said I was to have 5 *l.* more on the morning of the polling.

1266. Then you did not agree to vote for the 5 *l.* that he gave you?—No; he told me that if I would keep to their side I should have 5 *l.* then, and 5 *l.* more as soon as I had polled.

1267. Griffiths said, that if you kept on their side you should have 5 *l.* more?—Yes.

1268. Were those the words he used, or words to that effect?—Yes.

1269. Did he say anything else besides, "Keep on our side"?—No; he did not say any more.

1270. Then you went off home with the 5 *l.*; was it five sovereigns, or a 5 *l.* note?—Three sovereigns, and four half-sovereigns.

1271. Where do you swear you saw Mr. Preece on the polling-day?—At his own house.

1272. That is the "Old Harp," is it not?—Yes.

1273. What took you to the "Old Harp" that morning?—That was the appointment with Griffiths; I was to meet him there.

1274. I asked you what Griffiths said when he made the bargain, and you said he told you that there was 5 *l.* for you, and that if you would keep on their side, he would give you 5 *l.* more?—Yes.

1275. When did he tell you to meet him at the "Old Harp"?—When we parted.

1276. Tell us what he said?—I told you that before.

1277. But

1277. But I want you to tell me, now, when it was that he said you were to be at the "Old Harp"?—On the day that I had the money from him.

1278. In the back-yard?—Yes.

1279. Or in the public-house?—In the back-yard; he told me to meet him at the "Old Harp."

1280. When did he say you were to keep it quiet?—He told me at the time.

1281. Did he say that you were to keep on their side; that you were to keep it quiet, and that you were to come to the "Old Harp"?—Yes.

1282. What else did he say?—Not anything more that I recollect.

1283. Where do you swear you saw Mr. Preece?—At his own house.

1284. And where was he when he gave you the five pound note?—Up in a large room in the "Old Harp."

1285. That is a room upstairs?—Yes.

1286. Can you tell me anybody else who was present?—I do not know any one else; they were just all gone out. *E. Tyler.* 5 May 1866.

1287. Was anybody else present besides you and Preece?—No; there was no one there to notice it.

1288. Can you mention the name of anybody who you will say was present, so that we can send for him?—No; no one that I am aware of.

Re-examined by Mr. Serjeant *Ballantine.*

1289. At what hour do you generally dine?—When I am at home?

1290. Yes?—Generally at half-past twelve.

1291. Can you tell me whether the meeting at the "Wellington" was before your dinner hour, or after it?—It was before dinner.

1292. Of that you are quite sure, are you?—Well, I would not take my oath of it.

[The Witness withdrew.

WILLIAM VICHERY, sworn; Examined by Mr. *Macnamara.*

1293. ARE you a Tailor?—I am.

1294. And are you a voter for the City of Hereford?—I am. *W. Vichery.*

1295. As a householder?—Yes.

1296. Do you know William Biggleston, of Hereford?—I know a Biggleston; I cannot say what his Christian name is.

1297. Do you know a Biggleston who is a voter also for the city?—I cannot say as I do, but I believe there are several.

1298. What is the Biggleston that you know; what does he do?—He hauls at the present time, I believe; he is a haulier.

1299. What was he doing at the time of the last election?—I cannot say.

1300. Some time before the election; do you know what was his employment?—I believe he made ginger beer and soda water.

1301. Where does the Biggleston that you know, live?—Facing Berrington-street.

1302. Do you remember seeing him shortly before the last election?—I believe I did.

1302.* Did he speak to you about your vote?—Yes.

1303. What did he say to you?—He asked me if I had promised.

1304. Promised for whom?—He did not say who, I believe.

1305. Or on which side?—I believe not.

1306. Did he say anything more to you about your vote then?—I cannot tell exactly the words that passed, but I believe he said I might as well serve Mr. Baggallay; serve or vote; I will not say which it was.

1307. Give us the whole of the conversation that passed between you and him?—This is the first time the question was put to me that way; perhaps it will take me a moment or two to consider.

1308. Go on?—I do not know; he said, that if I would serve Mr. Baggallay, or vote for Mr. Baggallay, I believe the words was—I shall state as near as possible the truth—he would give me 5 *l.*

1309. By the *Committee.*] He would give you 5 *l.*?—Yes, he would.

1310. That is, Biggleston?—Yes.

1311. Mr. *Macnamara.*] Do you remember meeting him after that before the election?—I do.

1312. About how long was it before the election that you met him again?—It might be some weeks; from six to nine days.

1313. What passed between you then?—He asked me if I had made my mind up.

1314. What did you say?—I told him I had not, but that if I did vote for any person it would be for Mr. Baggallay.

1315. What did he say?—He would see me again.

1316. Did he see you again?—Yes.

1317. About how long after that?—Some days before the election.

1318. And what took place between you then?—I had 5 *l.* of him; 5 *l.* 10 *s.*; 5 *l.* I had, and 10 *s.* for my day's expenses.

1319. Total, 5 *l.* 10 *s.*?—Total, 5 *l.* 10 *s.*

1320. Where were you when he gave you the 5 *l.* or 5 *l.* 10 *s.*?—In Blue School-street, facing my house nearly.

1321. How much did he give you then?—5 *l.* 10 *s.*

1322. For whom did you vote?—Mr. Baggallay.

1323. On the day of the election were you employed in doing anything?—I was.

1324. What was it?—Fetching some voters.

1325. Where from?—I fetched one from Bovine, out of Hereford, and other places.

1326. And where did you take them to?—To the booth to poll.

1327. Who employed you to do that?—I believe Mr. Ralph was the gentleman; I could not say it was direct, but I believe it was Mr. Ralph; there was word sent to me from several, but I believe it was Mr. Ralph.

1328. Who spoke to you about doing it?—I believe it was Mr. Ralph.

1329. Were you at the "Wellington Inn" on the polling day?—I was.

1330. What were you doing there?—Waiting for orders to go on anything I might be wanted for.

1331. By the *Committee.*] You were at the "Wellington"?—Yes.

1332. Mr. *Macnamara.*] Whom did you see there

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there while you were waiting?—I saw several that were there in and out; I was in and out so much that I did not see many; I was not there much, because other things would take me outside the "Wellington."

1333. And who gave you orders where you were to go?—Mr. Ralph, I believe.

1334. Did you see Mr. Ralph there?—I did.

1335. In what part of the "Wellington" did you see Mr. Ralph?—I believe it was called the committee-room.

1336. Where was the room?—You went into a door on the Widemarsh side, and up a pair of stairs to the left, and it was facing.

1337. Do you know the little room near that room?—I know there is such a place.

1338. Did you see any one in that little room on that day?—I did not go inside that I know of.

1339. Did you see any one come out of it?—I saw a great many.

1340. Were those persons that you saw coming out of it, or any of them, to your knowledge, voters for the city?—I cannot say, but I should say they were.

1341. Do you know Phillip Lane, the assistant overseer?—I do.

1342. Did you see him at the "Wellington" on that day?—I did.

1343. In what part of the "Wellington"—Upstairs and down.

1344. Did you see them go into any room or come out of any room?—The committee-room.

1345. Do you know Mr. William Baylis, the plumber?—Yes.

1346. Did you see him there on that day?—I believe I did.

1347. Do you know William Swithin Baylis?—I do not know him by the Christian name; is it the son of the Baylis you speak of.

1348. Do you know young Baylis, the saddler?—Yes.

1349. Did you seem him there?—I believe I did.

1350. Do you know John Ede Derry?—Yes.

1351. Did you see him there?—Yes.

1352. Giles Cox?—I cannot say.

1353. John Griffiths, the blacksmith; did you see him there?—Yes, I believe I did.

1354. Did you hear any orders given about a fly going to Killforge?—I believe I did.

1355. When you say you believe you did, are you speaking according to the best of your recollection?—To the best of my knowledge, I believe I did

1356. Can you tell the Committee who it was who gave orders for that fly?—I can.

1357. Who was it?—Mr. Ralph.

1358. Did you hear him give the order?—I believe I did.

1359. Have you any doubt about it?—There might be a little, but I do not believe I have any.

1360. We want you, of course, to speak according to the best of your recollection?—I will, as far as lies in my power.

Cross-examined by Mr. *Cooke*.

1361. In what part of Hereford are you carrying on your tailoring business?—In several parts.

1362. Are you a journeyman tailor, then?—No.

1363. Where is your shop?—I am a foreman.

1364. Foreman to whom?—To Mr. Glascow.

1365. Where may his shop be?—The bottom of Eign street.

1366. Had you ever voted at a Hereford election before?—No, and I never want to again.

1367. You do not want the franchise continued to you?—We shall not have it there; I am afraid not, however.

1368. What time in the day did you vote?—Somewhere between 11 and 12, I think.

1369. Your memory seems to be rather hazy?—No, not very.

1370. Because you speak of everything to your belief?—On such an exciting day as that, a person's mind is apt to be rather weakened.

1371. And that is the reason why you believe that you saw Mr. Ralph; you cannot speak confidently upon the subject?—I believe I did see him.

1372. Will you swear that you did?—I will.

1373. You have spoken to your belief before, and now you speak positively; you say that this man, Biggleston, spoke to you; do you say he is a ginger beer man?—I believe he manufactures it; he is not a ginger beer man, but I believe he manufactures it.

1374. He sells it, does he?—Yes.

1375. And he keeps a small shop in Berrington street?—I do not know; he sells it from the house.

1376. Which Berrington-street, because there are two streets of that name?—Long Berrington street, or Big Berrington-street.

1377. Is that the Eign-street end?—It would be.

1378. How long before the election will you swear it was, that he asked you if you had promised your vote, and said that he would give you 5 *l.*?—Well, it was I believe some fortnight, or somewhere about a fortnight, or nine days; I cannot say to a day, for I did not keep it in my memory.

1379. I thought you told us just now that it was nine days when he asked you, if you had made up your mind about voting?—So it might have been.

1380. What interval was there between that and the first occasion, when he said he would give you 5 *l.*?—I should say it was somewhere about from a week to nine days.

1381. Between the two occasions?—Yes, it might be a week.

1382. It might be a week or nine days between the first and the second interval, is that what you mean to tell us, that a week or nine days elapsed between the time you met him, when he made you the offer, and the time when you saw him again, when he asked you if you had made up your mind; how long before the time when he asked you if you had made up your mind, was it that he asked you if you had promised your vote?—That was on the first occasion, I should say it might be a fortnight, but I cannot speak to the time exactly.

1383. Am I to understand that there was a fortnight's interval between the first occasion, when he spoke to you, and the next occasion, when he asked you if you had made up your mind?—No, I should say not; it was about a week or nine days from the first, when he told me he would give me 5 *l.*

1384. A week or nine days before what?—The election.

1385. If I have taken my note right, you have sworn that it was a week or nine days when he asked

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asked you if you had made up your mind?—That might have been the case.

1386. I want to know what interval there was between the first time when he said he would give you five pounds, and the second time when he asked you if you had made up your mind. How long an interval will you swear elapsed between the time when he offered the 5 *l.*, and the time when he said, "Have you made up your mind." I ask you how many days elapsed between the time when he first spoke to you, and the second time he spoke to you?—I cannot say how long.

1387. About how long?—You ask me to swear to the truth, as near as I can, and I will endeavour to do so.

1388. What time do you mean to swear elapsed between the time when he made you the offer, and the time when he asked you if you had made up your mind?—I cannot tell you how many days it was.

1389. Give us your belief upon the subject?—I have no idea; I cannot tell.

1390. How many days elapsed between the time when you said, that if you voted for anybody, it would be for Mr. Baggallay, and the next time when he paid you the 5 *l.* 10 *s.*?—I cannot tell you how many days there were between.

1391. How many days before the election was it, when you got the 5 *l.* 10 *s.*?—It was the Sunday night week before the election that I had the 5 *l.* 10 *s.*

1392. In Blue School-lane?—Yes.

1393. Having given that answer as to the Sunday night week, do you now swear that it was a week or nine days before the election, when he asked you if you had made up your mind?—I cannot tell. It was a week or nine days that I had the money before the election.

1394. How long before that was it that he asked you if you had made up your mind, and you said that if you voted for anybody, it would be for Mr. Baggallay. How long was it before that Sunday when you got the 5 *l.*?—I believe it was sometime in the week before the Sunday.

1395. Will you swear that it was in that week?—I would not.

1396. How long before that time was it that you will swear he offered you the 5 *l.* first, or said he would give it to you. Was it two, or three, or four weeks before the election?—Between two and three weeks, I should think it was.

1397. Where did the first conversation take place?—I cannot say.

1398. Where did you see the man at the time when he said to you, "Have you promised your vote?"—We were walking somewhere in the town.

1399. Did you meet him accidentally?—I believe we did.

1400. You say, "I believe *we* did;" who was with you when you say this conversation occurred?—I was alluding to Mr. Biggleston.

1401. You met, and this conversation took place between you?—Yes.

1402. Can you name anybody who was present besides you?—It was to ourselves.

1403. There was no third person present?—No.

1404. Where do you swear you saw Biggleston when he said he would give you 5 *l.*; I am going to call Biggleston as a witness, and that is the reason why I am putting these questions to you?—In the cattle market, for one place.

1405. Where was it that he said he would give you 5 *l.*; was that in the cattle market?—I will not swear it was, but I believe it was.

1406. Where was it that he said to you, "Have you promised your vote? If you will serve Baggallay, or if you will vote for him, I will give you 5 *l.*"?—I cannot swear where it took place.

1407. Was it a long conversation?—No, not particularly long.

1408. Did you stop talking about other things, or was that all that passed?—It was chiefly that.

1409. Chiefly what?—Election business.

1410. You were talking upon election business?—Yes, on the merits of the election.

1411. What do you mean by the "merits of the election"?—I cannot recollect.

1412. Tell me, if you please, where you will swear Biggleston met you and said anything about giving you 5 *l.*?—I cannot say; I do not recollect.

1413. Where was it that you met him when he said "Have you made up your mind," and you said, that if you voted for anybody you would vote for Mr. Baggallay?—In the cattle market.

1414. That was the second conversation?—It might be the third; I cannot say.

1415. Where will you swear, if anywhere, the conversation took place when he said, "I will see you again"?—For one place, in the cattle market.

1416. Do you mean to swear that that conversation took place in the cattle market?—Yes.

1417. Was that the second conversation?—I cannot say.

1418. You cannot swear whether, when he said he would see you again, that was the second or the third conversation?—No, I cannot.

1419. How many conversations had you with this man about your vote?—Two or three, or it might be four.

1420. The first time he said he would give you 5 *l.*?—That was the offer.

1421. Was that the first time?—I believe not.

1422. What passed the first time when he mentioned about your vote?—He was speaking of who I would serve, and whether I had promised any person.

1423. And he said that you might as well serve, or vote for Mr. Baggallay; was that the first conversation?—I believe it was.

1424. Will you swear it was?—Yes.

1425. What will you swear?—I will swear that it was spoken about my voting for Mr. Baggallay.

1426. Was that the first time that he spoke to you about your vote?—I would not swear whether it was the first or the second time exactly.

1427. Will you pledge your oath to its being the first or second time?—The first or second, I will.

1428. What was the first thing that was ever said to you, by this man Baggallay, about your vote?—It might have been to ask me if I would serve Mr. Baggallay; I told you to the best of my recollection; I cannot answer you direct.

1429. That is, your memory is bad?—It is not very good.

1430. You cannot tell me what was said the first time?—He said something about the election, and asked if I had promised my vote, that was the first.

1431. Can you tell me where that happened; was it inside the house?—It was in the street.

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1432. What street?—I believe it was Blue School-street that we finished up with that night.

1433. I want to know where you mean to place Biggleston and yourself, when you swear he offered you the 5 *l.*?—We were in Blue School-street.

1434. Do you pledge your memory to that fact?—I believe it was.

1435. You said just now that it was in the cattle market?—We spoke about it in the cattle market.

1436. What was said about it there?—He asked me if I had made up my mind.

1437. They say you are here against your will?—So I am.

1438. Do you swear that you never gave any account of this to the other side before you came into this room?—I did not say that.

1439. When did you give an account to the other side?—I do not understand you.

1440. When did you make a statement as to what had happened to the other side?—Some week or two ago.

1441. To whom did you make it?—To Mr. Jay.

1442. Had you told other persons about Biggleston, before Mr. Jay came to you?—No.

1443. Had you never said a word about it to anybody?—No, and I never should.

1444. Did Mr. Jay come to you then without any knowledge of the facts?—He got knowledge from somewhere, I do not know how.

1445. He came to you, and you told him what you have repeated here to-day?—I told him in Mr. Jay's office.

1446. How came you to go to Mr. Jay's office?—I was sent for.

1447. Had you ever been sent for before to Mr. Jay's office?—Not that I am aware of.

1448. Who came for you?—Mr. Jesse James, for one.

1449. He is a very active man on the other side you know, do you not?—I cannot say.

1450. You do not know that?—No, I do not.

1451. Do you not know at this moment which part he takes in Hereford?—I should say most certainly the Liberal side.

1452. He came to you for one, who was the other?—Mr. Jay came himself.

1453. I thought you said that you were sent for to Mr. Jay's?—So I did, and I went to Mr. Jay's.

1454. Was that after Mr. Jay had seen you?—Yes.

1455. Who came for you?—Who came for me?

1456. That is my question; now give me an answer to it?—I believe Mr. Jay sent a note for me to go to his office.

1457. Have you any doubt about it?—No.

1458. How many days after you had seen Mr. Jay did you get a note?—I believe I went there the same day.

1459. Have you any doubt about it?—The same day or the next, I believe it was.

1460. I think you say this was last week?—My memory is bad.

1461. You cannot tell me whether it was the same day that you got the note, or the next day that you went?—It was the same day or the day after.

1462. Which was it; it was only last week you know?—Only last week.

1463. How long ago is it since you got the note?—A fortnight or three weeks ago.

1464. Which was it?—I cannot say exactly, it might be from a fortnight to three weeks.

1465. Did Mr. Jesse James ask you if you would come and support the petition by evidence?—I do not think he said anything of the sort.

1466. What was it that he did say to you?—He served me with a Speaker's warrant.

1467. What is Mr. Jesse James?—I do not know; he is an independent gentleman, I think.

1468. Is he a plumber?—I do not know.

1469. He is the man who served you with the Speaker's warrant; the plumber?—He is an independent gentleman, I believe.

1470. Did he ask you if you could give evidence to support the petition?—He asked me what I knew about it; if I knew anything.

1471. Did he ask you if you had been bribed?—That question was not put to me.

1472. Do you believe that you were a bribed voter?—I believe I was.

1473. Do you mean to swear that you were appointed by any one on the day of the election to go after voters?—Yes.

1474. Can you give me the name of any one person as to whom you will pledge your oath that he gave you orders?—Mr. Ralph.

1475. Who were the voters that you went to fetch?—Mr. Beavan for one.

1476. Do you mean to swear that Mr. Ralph asked you to fetch Beavan?—Yes.

1477. Will you swear that anybody else was fetched by you at Mr. Ralph's request?—I went to Holmer.

1478. By whose desire did you go there?—Mr. Ralph's.

1479. Who did you go there for?—I forget the name, but the gentleman was in the town, and I did not fetch him.

1480. Can you not tell me where you went to look for him in Holmer?—I cannot tell you the name of the place; it is on the right hand side of the terrace, about two miles out.

1481. You have sworn that you got from Biggleston 5 *l.* for your vote, and 10 *s.* for your expenses?—I believe that was it.

1482. For what expenses?—On the day of the election; that was the understanding between Mr. Biggleston and me.

1483. You did not tell us a word of that before?—Five pounds ten shillings I received of Mr. Biggleston.

1484. What do you say about the understanding on the day of the election?—Five pounds was to be given me for my vote, and I said I should lose a day, and if he would pay me for the day of the election, and not have any further comment upon it, my mind was made up.

1485. The bargain then was, that you were to have 5 *l.* for your vote, and 10 *s.* for losing a day's work, and you said that if he would give you that, your mind was made up?—I told him it was.

1486. Was anything else said?—The 10 *s.* was to pay for the day I lost at the election.

1487. That is by not going to your work?—Yes.

1488. And that you got the Sunday week before the poll?—I believe it was; I did not take a note of the time

1489. You went to the "Wellington" then, to give your services?—Yes, I was paid for it.

1490. What were you paid for it?—Ten shillings would suffice for it.

1491. You

1491. You went to render your services in return for that 10*s.*?—Yes, that is so.

1492. And you placed yourself at the disposal of any person who asked you to do anything?—Not any person.

1493. Did you go there as a spy, for the purpose of being a witness?—No, I never was that.

1494. At what time do you swear you got to the "Wellington"?—Somewhere about a quarter past eight, I should say.

1495. Will you swear that you saw anything like "committee-room," written or printed, posted at the "Wellington"?—I never said I did.

1496. But you have used the words "committee-room;" you have said that you saw Mr. Ralph in the committee-room at the "Wellington"?—I took it to be a committee-room from seeing those gentlemen there.

1497. You saw Mr. Ralph, the chemist; who else did you see; young Baylis, the saddler, and Lane, the overseer?—Yes; I saw them in the room.

1498. Do you not know that Mr. Baggallay's committee-room was at the "City Arms Hotel"?—That might be the head one, but perhaps that was not the only committee-room.

1499. Do you not know that Mr. Baggallay's committee-room was at the "City Arms Hotel"?—The head one, I believe, was there.

1500. Do you swear that, at the "Wellington," there was "committee-room" stuck up, or anythink like that?—I will not swear that there was.

1501. Tell me, if you please, the name of any gentleman you saw there?—I do not know the names.

1502. Give me the name of any attorney of Hereford that you saw there?—I do not know; it is not all attorneys who are gentlemen.

1503. Tell me the name of any gentleman you saw there?—I call Mr Ralph a gentleman.

1504. Is that why you call this a committee-room?—That is my meaning, seeing gentlemen there.

1505. What time in the day will you swear it was when you saw Mr. Ralph in the "Wellington"?—Very near the whole time of the election day.

1506. Did you see him there at eight o'clock?—At a quarter past eight.

1507. How late in the day will you swear he was there?—I believe he was there up to the time of the election.

1508. I thought you said you were outside?—I was in and out for all that.

1509. Going about fetching voters?—Yes.

1510. Can you give me the name of anyone else who gave you any order?—I believe no person; I believe that all the orders almost emanated from Mr. Ralph.

1511. How many orders will you swear you had from Mr. Ralph?—I believe that no orders emanated from any other gentleman but Mr. Ralph.

1512. Do you swear that you got orders from Mr. Ralph yourself?— I did.

1513. To go where, except to look after Beavan?—To go to Holmer.

1514. Tell me anything else?—I believe there was no other place that I went to; I was asked to go to three or four places, but other persons went there.

1515. The door was open, was it not, and people were going in and out?—Yes.

1516. What you call the committee-room was open, so that anybody who wanted to do so might walk in and out?—Yes.

1517. And they did just as they pleased?—Yes, just as they pleased.

1518. You have stated that you saw Mr. Lane, the overseer, there; was he going in and out like the other people?—Yes.

1519. Young Baylis, the saddler, was he in and out like other people?—Yes.

1520. Do you swear that you saw Griffiths, the blacksmith, there?—I believe I did.

1521. Will you swear that you did?—To the best of my belief he was there.

1522. Will you swear that he was?—To the best of my knowledge he was there.

1523. Where did you see him there?—In the room.

1524. At what time in the day?—That I cannot say, there were so many people in and out.

1525. Did you see him do more than go in and out, like other people?—I believe not.

Re-examined by Mr. Serjeant *Ballantine.*

1526. How long have you been living in Hereford?—About 13 years.

1527. Have you been carrying on business there all that time?—Chiefly for myself; but the last three years I have got a situation.

1528. Had you ever voted before?—No, and I wish I had not voted this time.

1529. You say that at this place, which you call a committee-room, you have seen Mr. Ralph?—I did.

1530. And who else?—Mr. Corner.

1531. And who else?—There were several in and out.

1532. Had you made any communication to anyone as to your having received this bribe before you made it to Mr. Jay?—To no one, except my wife.

1533. You had communicated it to your wife?—She knew of it, because she was at the door when the money was given me.

1534. Do you mean that your wife was present when this matter occurred?—She was standing at the door.

1535. Did she speak to you about it?—She did.

1536. Are you and your wife living together?—At present we are not.

1537. You are separated?—Yes.

1538. Is she living in Hereford?—Yes.

1539. Whether your wife said anything about it, or not, you do not know?—No.

1540. But you never mentioned it to anyone until you mentioned it to Mr. Jay?—To no one.

1541. And is it by your own wish that you are here as a witness?—It is.

1542. You desired to be a witness?—I desired to be out of it; but it is my own wish to speak the truth, though I would have given 5 *l.* to have been out of it.

1543. By the *Committee.*] At the time of the election were you living in Blue School-street?—Yes.

1544. When you received the 5 *l.* 10*s.*, I understand you to say it was given to you opposite your own door?—On the right of the upper part of Blue School-street.

1545. Near your own house?—Yes.

1546. At the door of which your wife was standing?—Yes.

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1547. And could she see the transaction?—She could see me talking to Mr. Biggleston.

1548. I thought you said that she saw you receive the money?—I should think there is no doubt about it; I could not swear that she did, but to the best of my belief she could see it; there is a wall which projects from the side of our doorway, and we were standing by the corner of the wall, and the corner perhaps might have obstructed her sight, but she could see us quite plainly talking.

1549. That was when Biggleston gave you the money?—Yes.

1550. William Biggleston?—I believe it is William, but I do not know his Christian name.

[The Witness withdrew.

HENRY GORE, sworn; Examined by Mr. *Macnamara.*

Henry Gore.

1551. ARE you a Rope-maker in Hereford?—Yes.

1552. And have a vote for the city?—Yes.

1553. As a householder?—Yes.

1554. Do you know Edwin Corner, a painter, of Hereford—Yes.

1555. Do you remember meeting him shortly before the election in the cattle market?—Yes.

1556. Is that where you make your ropes?—Yes.

1557. Is Corner himself a voter for the city?—I believe so.

1558. About how long before the election would that be?—I should think about a fortnight or three weeks.

1559. Did he speak to you?—Yes.

1560. What did he say?—He told me if 10 *l.* was of any use to me I could have it for my vote.

1561. What further did he say, if anything; or what did you say to that?—I said very well; I says I should give my vote for the 10 *l.*

1562. Was anything said as to the way you were to vote, on which side?—Mr. Baggallay.

1563. Do you know William Knowles?—Yes.

1564. Is he a freeman of Hereford?—I believe so.

1565. William Knowles, the younger?—Yes.

1566. Does he live in one of the almshouses in Hereford with his father?—Yes.

1567. It is called Christ's Hospital, I believe?—Yes.

1568. Did Corner on this occasion say anything to you about William Knowles, the younger?—Yes.

1569. What did he say?—He said I was a party that he thought knew him best, and he would give me the money to give him; Mr. Corner said he would give me the money to give Mr. Knowles.

1570. Did he say what for?—For his vote.

1571. What did you say when he proposed that to you?—I said very well, I would go and see what he said about it.

1572. Did you then go to William Knowles?—Yes.

1573. Did you tell him what Corner had said to you?—Yes.

1574. Were you to see him again?—Yes.

1575. After that, did you see Swithin Baylis, who, I believe, is the lessee of this cattle market?—Yes.

1576. Mr. *Cooke.*] That is young Baylis, the saddler?—Yes.

1577. Mr. *Macnamara.*] Do you know whether he is a relation of Mr. William Baylis, the plumber?—I cannot say; I heard he was not.

1578. You say you saw Swithin Baylis; when you saw him what did he say to you?—He brought 10 half-sovereigns to me.

1579. What did he say when he brought them?—That I was to take them up to Mr. Knowles for his vote.

1580. And what did you do with it?—I took it up to Mr. Knowles.

1581. And did you pay it to him afterwards?—He would not accept it.

1582. That was so at first, but did he afterwards accept it?—He said he had written a note to Mr. Bodenham for 2 *l.*, and if he sent him the 2 *l.* he should split his vote.

1583. Did he say anything about the 2 *l.*; what it was?—He said if the 2 *l.* was not forthcoming by 11 o'clock on the day before the election he would let me know.

1584. Did he say what the 2 *l.* was?—Yes; he told me Mr. Bodenham owed him 2 *l.*

1585. And that if he would send it, what then?—If he sent the 2 *l.* up he should split his vote.

1586. Did you then see him again the day before the election?—He called on me.

1587. What did he then tell you?—He told me that Mr. Bodenham had not sent him the 2 *l.*

1588. Would this be the nomination day?—The day before the election.

1589. Well, he told you Mr. Bodenham had not sent him the 2 *l.*; what then?—And he should come and accept the 10 half-sovereigns.

1590. What did you then do?—He came to me and said that Mr. Bodenham had not sent him the 2 *l.*; that he waited till 11 o'clock, and about half-past 11 he came to me, and I paid him the 10 half-sovereigns.

1591. Do you remember the night before the election seeing Mr. Edwin Corner again?—Yes.

1592. Was any one with him?—There were several together, but I did not know them. There was Mr. Baylis and Mr. Corner; I know them two.

1593. Which Mr. Baylis?—The younger one.

1594. Swithin Baylis?—Yes.

1595. Did anything pass between you and Corner at that time?—Yes.

1596. What was it?—I went and asked him for my 10 *l.* for my vote.

1597. What did he say?—He says, "Come along with me up to the 'Wellington,' and I will see about it."

1598. Did you go there?—Yes.

1599. Did you go with Mr. Corner?—Yes.

1600. Where did he go when he went to the "Wellington;" did you see to what part of the "Wellington" he went?—No.

1601. Did he leave you for any time?—I was at the bar having a glass of beer.

1602. And where was he then?—He went in a side passage, and I saw no more of him.

1603. Did you see him afterwards?—Yes.

1604. Did he afterwards come back to you?—Yes.

1605. About how long had he been away?—About 10 minutes.

1606. When he came back what did he say to you?—

you?—He gave me the other 5 *l.* to give Mr. Knowles.

1607. By the *Committee.*] I understand you to say he left you for 10 minutes and then came back?—Yes.

1608. And gave you another 5 *l.* for Mr. Knowles?—Yes.

1609. Mr. *Macnamara.*] Had you said anything to him about Knowles on the night before the election, that you had seen Knowles yourself that day?—The day before the election?

1610. Yes, the day before the election?—I cannot swear whether I saw him a day before the election or not.

1611. Had you said anything to Corner about Knowles that day, or about that time?—I cannot say.

1612. You say he gave you another 5 *l.* to give to Knowles; and what did he say to you about yourself?—Mr. Knowles was at my shop when I had the 5 *l.*

1613. I am asking you at present what Edward Corner said to you when he gave you this second 5 *l.* to give to Knowles?—He said I was to take it to Mr. Knowles.

1614. Was anything said about yourself?—Yes.

1615. Tell the Committee what it was; what was it?—There is one more word. I wish to make an observation. The money I had taken to my shop; he met me there; I did not go to his residence; and he said he should not accept it before the morning before the election.

1616. Who said that?—Mr. Knowles did.

1617. Keep yourself at present to the "Wellington," the night before the election, when you have told us that Corner came back after being away 10 minutes and gave you 5 *l.* to give to Knowles; is that right?—Yes.

1618. Now tell us what further passed between you and Corner, if anything, at the "Wellington," then?—I received the 5 *l.*, and I went home.

1619. Nothing further passed between you then than that?—No.

1620. When you went home state what took place?—Mr. Knowles was sitting in my house; I told him I had got the other 5 *l.* for him; five sovereigns.

1621. What did he say?—He said he would come up in the morning, and he would have it before he went to polling.

1622. Did he give you any reason for not taking it then?—No; he said he would not take it that night, because he would have it in the morning before he went to poll; he did not give me no reason.

1623. After you had seen him, and that had taken place, did you go anywhere on the night before the election again?—No.

1624. I think you have told the Committee that you went up to the "Wellington" to see after your own 10 *l.*?—Yes, I asked for my 10 *l.*; I was to go up to the "Wellington" for it.

1625. Did you ask anybody for it?—I asked Mr. Corner for it; he promised me the 10 *l.*

1626. When was it you asked him for your 10 *l.*?—The night before the election.

1627. Where was it you asked him for it?—I went down to his house.

1628. Was that before or after you went to the "Wellington"?—Before I went to the "Wellington."

1629. You say that he promised it to you?—Yes.

1630. Did you get it on that night?—No.

1631. Did you ask him for it again on that night?—No, I did not see him that night after.

1632. Did he give you any reason for not paying it you?—He gave me the 5 *l.* for Knowles, and we parted, and I did not see him after.

1633. When you were at his house, and he promised you the 10 *l.*, did he give any reason for not paying you?—I was to go up to the "Wellington" for my 10 *l.*

1634. When you went up to the "Wellington" did you mention your 10 *l.* again?—Yes.

1635. What was said then, if anything?—That I should have it the first thing in the morning.

1636. On the next morning did you go anywhere from your house, on the morning of the election, the polling-day?—No; I believe I stopped in the house the biggest part of the morning, up till half-past 11, or 11 at least.

1637. Who did you see then?—Mr. Knowles came up.

1638. What took place between you and him?—Well, he knowed I had the 5 *l.* ready for him, and he accepted it.

1639. You paid him the 5 *l.*?—Yes.

1640. Had you seen Swithin Baylis on that morning, the morning of the polling?—Yes.

1641. Where?—At my shop.

1642. When you saw him in your shop what was said?—I told him I should not go to poll till I had my 10 *l.* as long as I was promised it.

1643. When you said that, what did he say?—Oh, he said it would be all right, I should have the money.

1644. Anything else?—I said words was wind on these occasions; I should like it.

1645. What did he say to that?—He said, "You are right; you can have one for the other," he says.

1646. Did he say you can have one for the other?—Yes; I rented under him, under the cattle market; I rent a ropery from him in the cattle market.

1647. Did you owe him rent at that time?—No, no more than my quarterly account.

1648. Did you owe him any rent?—My quarterly account.

1649. What did you do then; did you go and vote?—Yes.

1650. For whom did you vote?—For Mr. Baggallay.

1651. Have you ever paid your rent since to Mr. Swithin Baylis?—We took a running account; I settle up most quarters, and he has goods off me, and if any balance is coming to him I pay him and get a receipt for my rent.

1652. Has that quarter's rent been paid?—No; we have not settled up our half-yearly account; we are about level in goods.

1653. Do you remember, on the morning of the election, Knowles coming to your shop?—Yes.

1654. Was your wife present when he came that morning?—Yes, we were all talking; three in the shop together.

1655. What was it he said on that occasion; I think you have already told us?—He waited about a couple of hours longer than he otherwise would, because I was waiting for my 10 *l.*

1656. What was it he said with regard to his vote on that morning?—He said, "You had better

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better let me have my money, and I will go to poll; I will not leave it any longer;" and then I gave him the money.

1657. Where were you during that two hours?—In my shop; I was watching the election in the morning.

1658. And was it on that second occasion that you gave him the second 5 *l.*?—Yes.

1659. Was your wife present when you did so?—When I gave him that 5 *l.*

Cross-examined by Mr. *Giffard.*

1660. Do you know Mr. Jennings, a saddler?—Yes.

1661. Did he offer you anything for your vote?—No.

1662. Have you ever said that he did?—No; he never offered me nothing for my vote.

1663. Have you ever said that he did, is my question?—No.

1664. Have you ever said that Mr. Jennings, the saddler, offered you 25 *l.* to vote for Clive and Clifford?—No.

1665. Or any words to that effect?—No.

1666. Did you say that Mr. Jennings had said that he would give you a cheque for 25 *l.* or 30 *l.* on account of work?—Nothing of the sort.

1667. You never said that?—Not that amount.

1668. Did you say any amount?—Mr. Jennings owed me a bill of 7 *l.*, and I went there for my bill, and he came and asked me for my vote and he said, "Are you going to vote for money; do you want money, because if you want money (he said) I do not mind letting you have a cheque on the Gloucester Bank for 15 *l.* on my running account for next year, and do not take the money for the electioneering;" he told me not to take it or have anything to do with me.

1669. By the *Committee.*] What money did he mean?—The 10 *l.* I had been promised.

1670. Mr. *Giffard.*] He said if you wanted money he would give you a cheque for 15 *l.* on the Gloucester Bank?—Yes, and pay me a bill which was due to me of 7 *l.*

1671. Was that if you would vote for Clive and Clifford?—If I had voted for Clive and Clifford.

1672. If you "had voted" for Clive and Clifford?—He wanted me to vote for Clive and Clifford.

1673. So you were not to get it until after you had voted for Clive and Clifford?—He did not say anything about that.

1674. What did you mean by saying just now if you "had voted" for Clive and Clifford?—He wanted me to vote.

1675. Do you remember Mr. Baggallay first going down there; do you remember when you first saw him?—Yes.

1676. Do you remember his canvassing you?—Yes.

1677. Did you say that you would vote for him?—Yes.

1678. And I think you said that if you had 20 votes you would give them all to him?—Yes.

1679. When was that?—I cannot tell the day of the month.

1680. How long was it before the election?—A few days before the election.

1681. Was it before or after you had had these conversations with Knowles and Corner?—It was all about the same time.

1682. Was it before or after?—Before or after what?

1683. Was it before or after you had had any of these conversations with Corner or Knowles that you promised Mr. Baggallay to vote for him, and said that if you had 20 votes you would give them all to him?—I had promised before to give my vote.

1684. Do you mean that you had promised to Mr. Corner before you gave that promise to Mr. Baggallay?—Yes; three weeks before.

1685. How long do you think it was before the polling day that you promised Mr. Baggallay?—I do not know; it was a few days before he came and asked for my vote.

1686. Had you not promised him before that?—I promised Mr. Garrold that I should vote for him.

1687. How long before the polling day?—It was almost the day that the news came into Hereford.

1688. You mean the news that Mr. Baggallay was going to stand?—Yes.

1689. That was a considerable time before the polling day, was it not?—Yes.

1690. Was not Mr. Baggallay present with Mr. Garrold at the time when you promised him your vote?—When he came and asked me for my vote; he came and canvassed me in the market.

1691. Was not Mr. Baggallay there himself, and did you not say to Mr. Baggallay, in the presence of Mr. Garrold, "I will give you my vote, and if I had 20 votes I would give them all to you"?—Yes.

1692. At that time am I to take it that you had received no promise either from Mr. Corner or from Mr. Knowles?—Oh, yes.

1693. Do you mean to swear that at that time you had received any promise either from Corner or Knowles; I am referring to the time of which you have last spoken, which you said was nearly as soon as the news came into Hereford that Mr. Baggallay was going to stand, and when, as you say, Mr. Garrold and Mr. Baggallay were both present?—Yes, I was promised the money before that.

1694. You have no doubt about that?—No, I have sworn it.

1695. Had you known Corner before?—I had known him for many years.

1696. What passed between you and Corner when you first spoke to him?—He came and asked me if 10*l.* would be of any use to me, and said that if it would I could have it for my vote.

1697. Can you give any date to that?—I have told you that it was nearly a fortnight or three weeks before the election; it was before Mr. Garrold asked me, himself, for my vote.

1698. Was any one else present?—No.

1699. Was that all that passed?—I told him I would give him my vote for the 10*l.*

1700. Was that all that passed?—That was all that passed.

1701. His only business was to come and ask you if 10*l.* would do for your vote, and, upon your saying yes, the matter there ended?—There was nothing more passed.

1702. In what room in your house was it that this conversation took place?—It was down in the cattle market, in the ropery.

1703. I thought you said he came to your house?—Mr. Corner came to me in the cattle-market ropery; he did not come to my house.

1704. What

1704. What time in the day was it?—As near as I can guess it was between ten and eleven.

1705. No one was present, and that is all that passed between you?—That is all that passed.

1706. Did you happen to be there accidentally?—I am always there from morning to night, at work.

1707. Had he apparently any other business there, besides coming to speak to you?—No, not any.

1708. As soon as he said this he went away?—Yes.

1709. When next did you see him?—I cannot say; I did not see him after to have any conversation with him about money or electioneering, till he brought me the other 5 *l.*, when I went down to his house about my 10 *l.*

1710. You did not see him, as you believe, till he brought you 5 *l.*; when was that?—I went down to his house, and we went up to the "Wellington."

1711. When was this?—The night before the election.

1712. No one was present but you and Corner when he handed to you the 5 *l.*?—Yes; Mr. Baylis was with us, and there was another or two standing by.

1713. Young Mr. Baylis, the saddler?—Yes.

1714. And Mr. Baylis was near enough to see?—Yes.

1715. Did Mr. Baylis say anything to you when the 5 *l.* was given to you?—No; I was called on one side.

1716. Did Mr. Baylis speak to you?—Yes.

1717. What did he say?—He said he should see me all right in the morning, and that I should have my money.

1718. Did Mr. Corner speak?—He drawed me on one side, and said, "You can take his word; you will be all right:" I said, "Well, I will take his word as far as that goes."

1719. If I understand you, that 10 *l.* has never been paid to you in money; the remainder of the 10 *l.*; is that so?—The 10 *l.* was paid to me in ten half sovereigns and 5 *l.* in gold.

1720. I understood you to say that the 10 *l.* was settled in an account; is that so or not?—No, it is not settled; I have had no money, and have made no settlement.

1721. Do you tell the Committee that your bribe of 10 *l.* was paid you in money?—Yes, to take to Mr. Knowles.

1722. One thing at a time, if you please; do you mean that that was Mr. Knowles' bribe, or your bribe?—My bribe?

1723. That is my question?—The money was given to me to give to Mr. Knowles, and I cannot see that I had any bribery to do with it.

1724. Do you mean to say that you were bribed yourself or not; you can understand that?—I should not have been bribed; if I had not been promised the 10 *l.* I should have voted for Mr. Baggallay.

1725. Were you bribed or were you not?—I do not see that I was bribed; I was promised the 10 *l.*, and of course was ready to receive it.

1726. By the *Committee.*] It amounts to this, that you were promised 10 *l.*, and never got it, and that the only 10 *l.* that you received was for Knowles, and that you gave to him; is that so?—Yes.

1727. And the 10 *l.* which was promised to you, you never received?—No.

1728. Mr. *Giffard.*] Did you not mean to represent to the Committee that the 10 *l.* which you were to receive was set off in your account?—By Mr. Baylis?

1729. Yes?—Yes, it was to be, but it was not done.

1730. Did you mean to represent that the 10 *l.* you were to receive was to be set off in the account with Mr. Baylis; is that what you intended to represent to the Committee?—No, nothing of the sort; I do not understand you.

1731. It has not been set off, has it?—No, I have paid my rent, and I have had no money whatever on electioneering affairs.

1732. When did you pay your rent next after this?—It is a running account; it is about even.

1733. When did you pay next after this election?—We have not clearly settled up yet.

1734. When next did you pay anything after this election?—It is about the last half-yearly account we settled.

1735. When did you settle that?—Perhaps six months from now.

1736. At the time when you paid that, was the 10 *l.* bribe to you taken into account or not?—No, it was not taken into account.

1737. But you paid what you had to pay without claiming any such deduction, did you not?—Yes.

1738. I understood you to say that you asked for your 10 *l.*, and said that you would not vote until you got it?—Yes, I said that as long as I was promised it I should look for it.

1739. You did vote?—I did vote.

1740. At what time of the day?—At the same time as Mr. Knowles.

1741. What time was that?—At about half-past eleven; I cannot say to a minute what time it was.

1742. Had you voted at other elections?—I never gave a vote before.

1743. When you asked for your 10 *l.*, you were told to go up to the "Wellington," and he would see about it?—I was taken up there.

1744. Is not what you told the Committee this, that when you asked for your 10 *l.* he said, "Come up to the 'Wellington' and I will see about it;" that is true, is it?—Yes.

1745. When you got the 5 *l.* to give to Knowles, why did you not say, "Where is my 10 *l.*"?—So I did.

1746. You did say that, did you?—Yes.

1747. You did not tell us that before?—I tell you now, when you ask me for it.

1748. My friend asked you to tell us all that had passed; what did he say to that?—He said that the money was running short.

1749. Who was it that said that the money was running short?—Mr. Corner.

1750. But did you say something about your handing the 5 *l.* over to Knowles; when you came for your own 10 *l.*, did you not say something about it?—I felt inclined to stick to the 5 *l.*, unless I was to have my 10 *l.*

1751. Did you tell him so?—No, I did not tell Mr. Knowles so, of course.

1752. I am not asking you about Mr. Knowles, and you know that very well?—No, I did not tell Mr. Corner that.

1753. But did you say anything more about it; it seemed to you to be an odd transaction, did it not?—I had seen him the morning before the election.

1754. Do not let us get back to that; did it not

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not seem to you to be a very odd transaction, you went to get your own 10 *l.* and they gave you 5 *l.* to give to another man, and told you that money was running short; did you say no more about it then?—He said there was more money coming down in the morning.

1755. Anything else, because we have now a great deal more than we had before; did anything else pass?—I said you must bring me my 10 *l.* before I go to poll; I shall not poll without my 10 *l.*

1756. Did you say anything about taking the 5 *l.* to Knowles, before you got your own 10 *l.*?—No, I had taken it to him the night before, and he would not accept it.

1757. You have told us that, but when you were at the "Wellington," did you not say something to Corner about his sending you with 5 *l.* to Knowles?—He did not say anything about sending me; he told me to give the 5 *l.* to Knowles, who was at my house waiting for it.

1758. As you had gone up for 10 *l.* for yourself, why did you not remonstrate when you were told to take 5 *l.* to somebody else, instead of getting your own 10 *l.*?—I had taken their word, it was a promise.

1759. You have said that you would not take their promise, and that you had gone up to the "Wellington" to get your money?—Yes, I said words was wind, and I could take nobody's word at that time.

1760. You had been to Corner to get your money; Corner told you to go to the "Wellington;" you went there, and came away without your money, and brought away money to give to some one else; can you explain that?—Yes; I had taken the money; Mr. Baylis called me on one side and said, "Gore, you give your vote, and I will see you all right."

1761. You had seen Baylis before?—Yes, several times.

1762. And he had made you the same promise before?—Yes; and I had taken his word.

1763. What made you take the 5 *l.* to Knowles?—Of course I did not want to pocket it for myself, as long as it was for another.

1764. You say that Knowles was waiting at your house for it; had it been arranged between you and Knowles that he should wait at your house for it?—No; I did not know that he was at my house until I went there.

1765. Did you not swear that he was waiting at your house for it?—He was waiting there.

1766. Did you not swear that Knowles was waiting at your house for it?—He was there, but he would not accept the money of me till the next morning.

1767. Had anything been arranged between you and Knowles about your going to the "Wellington" to get the money for him?—Nothing had been arranged about Knowles going to the "Wellington."

1768. My question is, Had it been arranged between you and Knowles that you should go to the "Wellington" for Knowles' money?—Mr. Knowles knew nothing about it; he did not know that I was going to the "Wellington" that night for the money.

1769. What did you mean by saying that Mr. Knowles was waiting at your house for the money?—He was waiting there, but he did not know where I fetched the money from.

1770. What did you mean by saying that he was waiting at your house for the money?—He was at my house; he might have been waiting for it there; I daresay he expected it; he was waiting there, and I daresay he expected to meet me and to have it; I daresay he was on that errand and nothing more, but he did not say that much to me; I pulled the money out of my pocket, and said, "Here is the other 5 *l.* for you, Mr. Knowles."

1771. If he was waiting there for the money, and if he expected to have it, why did he not take it when he came?—He said he did not want to take it away that night, and that he would come the next morning for it.

1772. You say he was waiting there for it, and that when you came there and had it he would not take it?—He said, "No, I will not take it now; I will come up in the morning for it, before I go to the poll."

Re-examined by Mr. Serjeant *Ballantine.*

1773. What is Knowles, by business?—I cannot tell; he lives with his father in the hospital.

1774. Had you known Mr. Baggallay before you promised him your vote?—I never heard tell of his name before I promised him my vote.

1775. You had never heard his name at all?—No, I never had.

1776. How came you to promise him your vote so readily?—Because I had promised for Mr. Garrold's side.

1777. Had Mr. Garrold canvassed you for your vote?—Yes.

1778. What did he say?—He asked me for my vote, and I said I should give it to him.

1779. Did you mention to Mr. Garrold at any time what had taken place between you and Corner?—Oh, yes.

1780. When was that?—I cannot say to the day of the month.

1781. Was it before the day of the election or after?—It was after the election.

1782. Did you tell Jennings about the offer that Corner had made to you?—Did I tell Mr. Jennings?

1783. Yes?—I cannot say as to that.

1784. Did you tell him anything you have told us about the 15 *l.*; had you mentioned to Jennings that any offer had been made to you on the other side?—I cannot swear whether I told Mr. Jennings I was going to have 10 *l.* or not; I told Mr. Jennings that I should not vote, and I went out of the way; they were at my house several times, and I kept out of the way that they should not see me.

1785. That the Liberal side might not find you?—Yes.

1786. When Mr. Corner told you that money was coming down in the morning, did he mention any time?—He told me it would be down about 10 in the morning.

1787. Did he say from where?—He said he expected it was coming from the Carlton fund.

1788. Was your wife present at any of these interviews?—My wife was present when I paid Knowles the last 5 *l.*

Examined by the *Committee.*

1789. You said in your evidence just now that you saw and promised your vote to Mr. Baggallay on his arrival as a candidate?—Yes.

1790. And you say that previous to that you had

had been promised 10*l.* by Mr. Corner for your vote?—Yes; before I was asked.

1791. Before you were canvassed by Mr. Baggallay in person you had been promised by Mr. Corner 10*l.* for your vote?—Yes; and whether I had been promised or not, I should have voted for him.

1792. Had you promised your vote for 10*l.* before you knew that Mr. Baggallay was a candidate?—Yes: as much as three weeks or a fortnight before.

1793. With regard to your interview with Mr. Jennings, I understand you to say that Mr. Jennings said he would give you a cheque for 15*l.* on the Gloucester Bank?—On a running account for goods.

1794. And 7*l.* for work already done?—Yes, he had my bill to that effect.

1795. And he added, according to your own words, which have been read by the short-hand writer, that you were not to take the other electioneering money?—Yes, he told me not to take any money for electioneering purposes.

1796. What did you understand him to mean by those words?—For him to give me that money for the running account?

1797. No; the money for electioneering purposes?—Of course he did not want me to go their way.

1798. How did Mr. Jennings know that you were likely to get money for electioneering purposes; had you told him so?—No, but I suppose that he guessed that much. *Henry Gore.* 5 May 1866.

1799. He guessed that you were going to receive money?—I did not tell him so, but he could see that I was determined to go the other way.

1800. Did he at that time ask you to vote for the Liberals?—Yes.

1801. At the time he spoke about the 15*l.*?—Yes; he asked me to vote his way.

1802. You said he asked you to vote for Clive and Clifford; is that so?—Yes, he wanted me to go their way.

1803. That was not your answer; what you said was "to vote for Clive and Clifford"?—Yes, I was to vote for Clive and Clifford; I had promised my vote to Mr. Baggallay before.

1804. Why did you give yourself no trouble to get the 10*l.* when the election was over?—Because my lessee said I should have the one for the other; that if I did not have the 10*l.* I should have it out of the rent, and I thought that was the same thing as having the money.

1805. You expected to have it deducted from your rent?—Of course I did.

[The Witness withdrew.

MARIA GORE, sworn; Examined by Mr. *Macnamara.*

1806. YOU are the wife of the last witness, Henry Gore?—Yes.

1807. Do you know William Knowles, the younger?—Yes.

1808. By the *Committee.*] Have you been in the room during the examination of the other witness?—No.

1809. Mr. *Macnamara.*] Is William Knowles a friend of your husband's?—Yes, he has been.

1810. You remember the day of the last election for Hereford?—Yes.

1811. Did you see William Knowles, the younger, on that day?—Yes.

1812. Where was it that you saw him?—At our house.

1813. Did you hear a conversation between him and your husband?—Yes.

1814. What did you hear William Knowles, the younger, say; did you hear him say anything about the election, or about voting?—I did not hear anything particular, only about electioneering.

1815. What was it that you heard about electioneering?—Mr. Gore, of course, paid him money on that day, in my presence.

1816. How much was paid?—£5.

1817. Did you hear anything said before that 5*l.* was paid?—No; not any more than about how they were going to vote; about the electioneering; that was all.

1818. What was said?—Of course, Mr. Gore did not feel willing to vote on that day, because he had not received what he was promised.

1819. Do you know Mr. Swithin Baylis?—Yes.

1820. Did you see him on the day of the election?—In the morning.

1821. Where did you see him?—He came into our shop.

1822. Did he have any conversation with your husband?—Mr. Knowles fetched him.

1823. Did you see Swithin Baylis talking to your husband?—Yes. *Maria Gore.*

Cross-examined by Mr. *H. Matthews.*

1824. Were you at home the night before the election?—Yes.

1825. All the evening?—Yes.

1826. Was your husband in?—Some part of the evening; the latter part, but not in the early part.

1827. When was he away?—His business calls him from home till about eight o'clock in the evening.

1828. And when does he come home?—Mostly about that time.

1829. I thought you said that his business calls him from home?—Yes; but he always comes home to his meals.

1830. When was he out the evening before the election?—He was out.

1831. When?—Till about 10 o'clock, I think, he was out.

1832. When did he come back?—About that time; he was out till about that time.

1833. From eight to 10 o'clock?—Yes.

1834. And he came back at 10 o'clock, and did not go out again?—No; I cannot call to mind that he did.

1835. Had you any visitors that night?—Mr. Knowles was there, and several others.

1836. What others?—Our friends; no one that had to do with the election.

1837. Who else was there besides Knowles?—I think, Mr. Powell.

1838. Who is he, and what is he?—A painter.

1839. Anybody else?—A sister of mine was there.

1840. What is her name?—Esther Parker.

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1841. Who else?—Well, I cannot say there was anybody else there in particular.

1842. What time were they there?—They were there from about eight up till about 11.

1843. All the time?—Yes.

1844. Was anything said about the election, that night?—Yes; they were talking about it.

1845. Was anything said about it that you can recollect?—Mr. Knowles and Mr. Gore were talking about the election.

1846. Was anything said that you can recollect?—No; Mr. Jennings, the saddler, was in there some part of the time.

1847. He was there that same evening, was he?—Yes.

1848. What did he come about?—He wanted to see Mr. Gore.

1849. At what time did he come?—He was there about eight, but Mr. Gore was not in.

1850. Did you tell him when he would be in?—Yes.

1851. Did he come again?—No, not that evening; Mr. Gore was to have went and seen him, but he did not go.

1852. He left word that Mr. Gore was to go and see him?—Yes.

1853. To go and see him where?—At his house.

1854. When Mr. Gore came back, did you tell him that?—Yes: he knew he had been there.

1855. How did he know that he had been there?—I mean he knew it when I told him, but he did not go to see him.

1856. When you told him, did you find out that he knew already that Jennings had been there?—No; he did not know it till I told him.

1857. At what o'clock did you tell him that Jennings wanted to see him?—When he came in.

1858. What time was that?—Some time in the evening, towards eight or nine o'clock.

1859. Do you mean that your husband came in towards eight or nine o'clock?—Yes.

1860. Then you told him that Mr. Jennings wanted to see him?—Yes.

1861. Did not your husband know, when he came in, that Mr. Jennings had been there?—No, I do not think he did.

1862. You are not quite sure about it?—No.

1863. What did he say that makes you doubt; you say you are not quite sure whether your husband knew that Jennings had been there?—I cannot call to mind; if I had known that I should be wanted to speak about it, I should have taken more notice; but I did not.

1864. What makes you doubt whether your husband knew that Jennings had been there?—He did not know it, I do not think.

1865. Did you give him the message that Jennings had left?—Yes.

1866. And was it after that that he went out again?—No; if he did go out, he did not go out on the ground to see Mr. Jennings.

1867. Did he go out again?—Yes, he was out; he was out with Mr. Baylis.

1868. How long did he stop in before he went out with Mr. Baylis?—I cannot exactly say.

1869. About how long was he in the house before he went out?—I do not know, I am sure.

1870. Yes, you do; was he there an hour, or two hours, or two minutes?—Not many minutes.

1871. Was Mr. Swithin Baylis at the house when your husband came back?—No.

1872. Did he go to your house while your husband was there?—Yes.

1873. And did they both go out together?—Yes.

1874. Were Knowles and your sister there when Swithin Baylis came in and went out with your husband?—Yes.

1875. You have scolded your husband a good deal for voting for Mr. Baggallay, have you not?—Well, I may have done so.

1876. But have you done so?—Yes, I dare say I have; I did not wish him to vote for either party.

1877. Had not Mr. Jennings spoken to you about his voting?—Yes; I knew that he would offend one or the other party if he voted.

1878. Did you not tell your husband that he was a fool for not voting as Mr. Jennings told him?—I think I did.

1879. Did you not tell him that you knew he could have a cheque from Mr. Jennings if he voted for that party?—No.

1880. On your oath, have you not told your husband that he was a fool for voting for Mr. Baggallay, when he knew that he could have a cheque from Mr. Jennings; now be cautious?—Mr. Jennings said in this way——

1881. On your oath, have you not said that to your husband?—That he could have a cheque?

1882. That he was a fool for voting for Mr. Baggallay, when he knew that he could have money, or a cheque, from Mr. Jennings if he voted the other way?—No.

1883. That he could have had one?—No, I never said no such a thing.

1884. What did Mr. Jennings say to you about your husband's voting?—When Mr. Gore said that he was voting for the other parties, because he could have money, Mr. Jennings said in this way; he owed Mr. Gore a bill of 7 *l.*, and he said if he wanted a few pounds (he might say two or three pounds), he would give him a cheque, and let it run on account of goods.

1885. If he would vote for Clive and Clifford?—No, nothing of the kind; I did not hear Mr. Jennings say anything of the kind; he said if he was voting for money, and if he wanted a pound or two, he would give him a cheque on account of goods, but not that he would promise him anything for his vote, not on the other side.

1886. What amount of cheque did he say he would give him?—If he wanted it, perhaps two or three pounds.

1887. What was the amount of the cheque that Mr. Jennings said he would give him?—I did not hear him say any certain amount.

1888. Have you not said that it was as much as 25 *l.*?—No.

1889. What amount of cheque was Mr. Jennings going to give him?—There was no amount mentioned, in my presence.

1890. Was he to have two or three pounds more than was due to him?—Yes, if he wanted it; on account of goods; I do not think he said any amount.

1891. Just now, you swore he did?—I said a few pounds.

1892. That he would give him a cheque for a few pounds more than the amount that was due to him?—Yes; but no certain amounts.

1893. How long before the election day was that

that said by Mr. Jennings?—The evening before.

1894. At what hour?—Mr. Jennings said so to me, because I told Mr. Jennings what he was promised.

1895. Did he not say it to your husband in your presence?—Yes.

1896. When?—I could not exactly say.

1897. How long before the election?—It may have been a day or two; Mr. Jennings said that to me the very evening of the election; before the election.

1898. Did he say that in the hearing of Knowles?—No.

1899. Where did he take you to tell you that?—There was no one in the house when Mr. Jennings came, except myself, and my sister, who lived with me.

1900. Did he say it to you in the hearing of your sister?—No; he said it to me in the little parlour.

1901. Was Mr. Jennings gone before Knowles came in?—Yes.

1902. Jennings did not see Knowles at all, then?—No.

1903. Have you not said that Mr. Jennings had offered to give, or that he would have given, a cheque for 25 *l.* if your husband would vote for Clive and Clifford?—No, I have not said so.

1904. Or 30 *l.*?—No.

1905. Or any sum?—No, I have not said it myself to anyone.

1906. Have you heard it said?—No; I do not know what ground you are working upon.

1907. Upon your oath, have you never heard anybody say that?—No.

1908. Or anything like it?—No.

1909. Have you heard anybody say anything about Jennings giving money, or a cheque, if your husband would vote for Clive and Clifford?—No.

1910. Take care, you are upon your oath: have you not heard something said about Jennings giving your husband 25 *l.*, or 30 *l.*, or some other sum, if he, your husband, would vote for Clive and Clifford?—No; Mr. Garrold put that question to me at our house, and I told him that I had not heard anything about it; I could not answer him that question.

1911. Did you not, on the contrary, say that it was true that you had been offered that?—No.

Re-examined by Mr. Serjeant *Ballantine.*

1912. About Mr. Garrold: when were you at Mr. Garrold's; was it at his house that he put the question to you?—No.

1913. Where, then?—Mr. Garrold called one evening to see Mr. Gore.

1914. When was that—since this inquiry has been going on, or since you knew that you were coming up here?—I think it was last Friday.

1915. After you had received the warrant to come up here?—Yes, after I had received the Speaker's warrant.

1916. And Mr. Garrold called upon you?—Yes, he asked to see Mr. Gore, and Mr. Gore was not in.

1917. What did he say to you?—I told Mr. Garrold that both Mr. Gore and me were summoned to come to London.

1918. And what did he say?—He asked me upon what ground. *Maria Gore.* 5 May 1866.

1919. What did you say then?—I told him that of course Mr. Gore had said things that he could not recall back.

1920. Did you tell Mr. Garrold what things he had said?—Not particularly.

1921. What did Mr. Garrold say then?—He said he should wish to see Mr. Gore.

1922. Was that all that took place between you?—No, there was other conversation.

1923. What further did he say?—I know that Mr. Garrold put that question to me as regards the cheque: whether Mr. Jennings did not offer Mr. Gore 30 *l.*, and I told Mr. Garrold that I had not heard it.

1924. You told him so, did you?—Yes.

1925. I understand you to say now that you never did hear anything of that kind?—No more I did.

1926. You say you told Mr. Garrold that your husband had said things that he could not recall; what did you mean by that?—I could tell you many things that Mr. Gore had said.

1927. Had you known from your husband before the election that he had been promised 10 *l.*?—Yes, for some time.

1928. And had you mentioned that fact to Mr. Jennings?—Yes.

1929. What time was it when you saw 5 *l.* paid to Knowles?—It was paid to Knowles on the morning of the election; Mr. Gore offered it to Knowles the night before, but he would not take it then.

1930. Knowles and Mr. Gore were together in the evening?—Yes, Mr. Knowles came to our house in the evening.

1931. And Mr. Gore came in while he was there?—Yes.

1932. You say they were talking about the election?—Yes.

1933. Was anything said about money?—Yes.

1934. Just tell us what it was that was said?—Mr. Gore offered him 5 *l.* that night, and he said, let it stay till the next morning, and that he would have it then.

1935. You heard that, did you?—Yes.

Examined by the *Committee.*

1936. You have stated that you said to your husband that he was a fool for not voting for Mr. Jennings's party, as from Mr. Jennings he could have a cheque for his account, and a few pounds more if he wanted it; that is so, is it not?—Yes.

1937. Is Mr. Jennings's party Mr. Baggallay's party?—No.

1938. The opposite party?—Yes.

1939. You say that you knew before the election that 10 *l.* had been offered to your husband for his vote?—Yes.

1940. And you gave that information to Mr. Jennings?—Yes.

1941. And after you had given that information to Mr. Jennings, Mr. Jennings made the remark about the money for your husband's account which has been adverted to by the Chairman?—Yes.

[The Witness withdrew.

JOHN STEPHENS, sworn; Examined by Mr. *Macnamara*.

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1942. ARE you a Boiler Maker?—Yes.

1943. Do you live at Hereford?—Yes.

1944. I believe you are a voter for Hereford?—Yes.

1945. As a householder?—Yes.

1946. Do you know James Walters?—Yes.

1947. I believe he works with you at the Great Western Railway Works?—Yes; he does not work with me, but in the same department.

1948. Do you remember, a short time before the last election, talking to him at the railway works?—Yes.

1949. About how long before the last election was that?—I cannot say to a day; but it was about a week or a fortnight before the election, or something like that.

1950. What did he say to you about it?—He asked me whether I had promised anyone my vote.

1951. What did you say?—I said I had not exactly made up my mind.

1952. What did he say then?—We got talking it over, and he told me that he could get me a few pounds, if it would do me any good, if I would vote for the opposite party.

1953. By the *Committee.*] What did he mean by that?—To vote for Mr. Baggallay.

1954. Mr. *Macnamara.*] Had you promised the other party your vote?—No, I had not promised it.

1955. Did he tell you what party he wanted you to vote for?—He said like this: "You know who I want you to vote for."

1956. Did he mention any name?—No, he did not.

1957. Did you know at that time on which side he was?—Yes, I did.

1958. On which side was he?—For Mr. Baggallay.

1959. When he said he could get you a few pounds, what did you say to that?—We got talking; my wife was very ill at that time; I told him that if there was any chance of any money, I should take it.

1960. I think you were out of work yourself at that time, too, were you not?—Not at that time; I was at the election; I had a bad foot.

1961. Did you see him soon after this?—Yes; I met him two or three days before the election.

1962. Were you at work then?—No.

1963. What had happened to you?—I had a bad foot.

1964. When you met him a few days before the election, what did he say to you?—He asked me whether I intended voting for Mr. Baggallay, whether I intended doing what we had been talking about on the previous occasion.

1965. Where was it that you met with him then?—Down the New-road going to Widemarsh.

1966. What did you say?—I said I should, if the money would come forward what was promised.

1967. What did he say to that?—Well, he pulled it out of his pocket and put it on the brick wall, and I took it up and put it in my pocket.

1968. How much did he put there?—Five sovereigns.

1969. Did he say anything further to you then?—He told me to meet him at the "Wellington" on the morning of the election.

1970. Did he say anything as to what would take place if you did?—And I should receive the other five pounds.

1971. On the morning of the election did you go to the "Wellington"?—Yes.

1972. When you went there, to what part of the "Wellington" did you go?—I went upstairs into the committee room.

1973. Did you see anyone there?—I saw several gentlemen there.

1974. Did you say anything when you went in or when you got to the door?—I sat down a bit, and saw Mr. Ralph.

1975. Were you told to go anywhere?—Not then; I asked where Mr. Walters was.

1976. Mr. James Walters?—Yes.

1977. And what were you told?—I was told to stop there for a while.

1978. What took place after that?—Well, I told him if the money did not come forward that was promised, I should go and vote on the opposite side.

1979. To whom did you say that?—Mr. Ralph.

1980. By the *Committee.*] That was the second five pounds?—Yes.

1981. Mr. *Macnamara.*] When you told Mr. Ralph that, what did he say?—He told me to sit down a while, and after I had stopped there a bit he ordered me then into the little room there.

1982. Was that on the same floor as this other room where you had been?—Yes.

1983. Did you go into the little room?—Yes.

1984. Whom did you find there?—Mr. Baylis the tinman.

1985. Is that Mr. William Baylis the plumber, or tinman as you call him, of the Commercial-road?—Yes.

1986. When you got in there, what took place?—He asked me whether I had had one five pounds, and I said yes, and he gave me the other five pounds, and that made 10 *l.*

1987. What did you then do?—I came out of the room, and went and polled; I went and gave my vote.

1988. For whom did you vote?—For Mr. Baggallay.

Cross-examined by Mr. *Cooke.*

1989. What were the wages that you were earning at the time of the election; what are your wages weekly?—22 *s.* a week.

1990. Are you still in the Great Western Company's employment?—Yes.

1991. At which station?—The Great Western; the Barton station.

1992. Do you know Mr. Bodenham, one of the directors, by sight?—I know him by sight, that is all.

1993. Do you know Thomas Hards?—Yes.

1994. What is he?—A fitter.

1995. Have you had conversations with him about your having voted?—Yes, we have had conversations about it.

1996. Since the election?—Since the election.

1997. Had he talked to you before the election?—No, not before the election.

1998. Were

1998. Were you not canvassed by Hards?—No, I was not.

1999. Nor by Price?—No, I was never asked the question.

2000. To whom did you first mention what you have been telling us to-day?—Mr. Bodenham.

2001. The director?—No, Mr. Frederick Bodenham.

2002. Did you go to his private house, or to the office?—He sent for me.

2003. Where to?—To his residence.

2004. He is a nephew, we understand, of the director; is that so?—I do not know.

2005. Do you not know what relation he is to him?—No.

2006. When was it that he sent for you?—I cannot say to a day or two.

2007. Can you tell me within a week or two?—It might be a month or six weeks ago; I cannot say to a day.

2008. Can you not tell me to a week?—No.

2009. Can you not tell me whether it was a month, or five or six weeks ago?—No, I cannot.

2010. Will you swear that it is within six weeks that you were sent for?—No; I cannot swear that.

2011. Was it two months?—I cannot say.

2012. Three months?—I do not know.

2013. Do you mean to swear that you cannot tell whether it was three months ago that you went to Mr. Bodenham's residence?—I cannot say the time; I think it was somewhat over six weeks; but I cannot say exactly the time.

2014. Was that the first time that you were spoken to; do you mean to swear that you had not been spoken to about giving your evidence on this petition before you went to Mr. Bodenham's house?—I was never asked about giving evidence.

2015. But about your voting?—Yes; I was spoken to about my voting.

2016. By whom were you spoken to?—By Hards.

2017. How long ago is it since Hards spoke to you?—It might be two months ago.

2018. Do you mean Hards, who was one of the committee for Clifford and Clive?—I do not know.

2019. You know that he was on that side, do you not?—I know he voted for them.

2020. Do you not know that he was a very active man on that side; do you not know that he was a man who took an active part for Clifford and Clive?—No, I do not.

2021. How lately before Hards had spoken to you did you go to Mr. Bodenham?—It may have been a week or two after; I cannot say exactly the time.

2022. Was it the same week?—No, it was not; it was a week or two after.

2023. Did Mr. Bodenham put questions to you?—Yes, he did.

2024. And did you sign a statement?—No, I did not sign it.

2025. Did you get brandy and water?—No.

2026. What did you get at Mr. Bodenham's?—Nothing at all.

2027. Do you know the "Maidenhead" public-house?—Yes.

2028. Were you there before the polling day?—At the "Maidenhead"?

2029. Yes?—I very often go in there.

2030. Were you there before the polling day?—Yes, I have been there many a time.

2031. Were you there during the election?—No, I was not.

2032. Not on any day?—Not on the election day I was not.

2033. Nor on the polling day?—Nor on the polling day I was not.

2034. Were you there on the nomination day?—No, I was not.

2035. How recently before the polling day were you at the "Maidenhead"?—I cannot say; I very often go in there; it is a house I use.

2036. Were you there any day with voters before the polling day?—No, not that I am aware of, I was not; I may have been in there when they were there.

2037. Do you know a house next door but one to the "Maidenhead," that was taken for Clive and Clifford's committee room; a void house, or an empty house?—No.

2038. Were you in there?—No.

2039. Were you at the "Maidenhead" during the election, when you saw Mr. Bodenham, who is sitting here now?—No, I was not.

2040. You did not hear him make his speech at the "Maidenhead"?—No, I did not.

2041. What is Walter's business at the Great Western?—He is a fitter.

2042. What time in the morning will you swear you saw Mr. Ralph at the "Wellington"?—I cannot say exactly the time; it was some time between breakfast and dinner time.

2043. That is very wide; what time in the morning will you undertake to say you saw him at the "Wellington"?—It was between breakfast and dinner time; I cannot say nearer than that.

2044. Which was it nearest to; breakfast or dinner?—I cannot say.

2045. What time did you vote?—About 12 or 1 o'clock.

2046. Did you not vote before 10 o'clock?—No; I did not vote before 10; it was later than that.

2047. Will you swear that you did not vote before 12?—I cannot swear to the time; it was between breakfast and dinner time.

2048. What did you do in the morning, before you went to the "Wellington"; you have sworn that you saw Mr. Ralph there; first of all what is your dinner hour?—I was bad in my foot then, and I went home to my dinner at any time.

2049. What was your dinner hour with your bad foot?—About one o'clock.

2050. Earlier, or after one?—Sometimes before and sometimes after.

2051. I am asking you about this day; what time did you breakfast with your bad foot, that morning?—I cannot say to half-an-hour.

2052. Tell me any time within half-an-hour that you will pledge yourself to having been at the "Wellington"?—I cannot say.

2053. Do you mean to say that you cannot tell me within half-an-hour, when you were at the "Wellington"?—I cannot say; it was between breakfast and dinner time.

2054. Was it nearer breakfast time, or nearer dinner time, that you were there?—I cannot say.

2055. What did you do after breakfast that morning before you went to the "Wellington"?—I went out for a walk.

2056. At

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2056. At what time did you breakfast that morning?—I do not know.

2057. Will you give me any hour in the morning when you will swear you were at the "Wellington"?—No; I say it was between breakfast and dinner, but I cannot say the hour.

2058. And you will not say what time your breakfast was, and what time your dinner was?—I cannot say.

2059. At what time did you get up that morning?—I do not know.

2060. Do you know what you did between breakfast and going to the "Wellington"?—I went up round the town for a walk.

2061. With your lame foot?—Yes.

2062. Where did you go to before you went to the "Wellington"?—I went up Broad-street to the "Wellington."

2063. Did you not go to the "Wellington" directly after your breakfast?—It might be an hour, or two hours; I cannot say the time.

2064. Give me any time you will dare to pledge your oath to as being the time when you were at the "Wellington"?—I cannot say to an hour or two.

2065. Can you not say within two hours?—No.

2066. Where will you swear you were except in Broad-street, between the time of your breakfast and the time of your going to the "Wellington"?—I was walking about the town.

2067. Were you walking about the town for two hours with your lame foot: do you mean to swear that?—I cannot say exactly.

2068. You cannot say what exactly?—Not that I was walking about for two hours.

2069. Where were you?—Up in the town.

2070. What did you do before you went to the "Wellington" that morning, when you swear you saw Mr. Ralph?—Walking about the town.

2071. How long were you walking about the town with your bad foot?—I cannot say exactly.

2072. I do not want to know exactly; who did you go to poll with, if you went with anybody?—I went to the poll by myself.

2073. Can you say at what time you went to the poll?—I cannot.

2074. How long before dinner was it that you went to the poll?—I cannot say.

2075. Did you go to dinner after you had voted?—I do not think I had any dinner at all that day.

2076. Having been at the "Wellington" between breakfast and dinner, and having had no dinner, had you had any breakfast?—I said between the breakfast hour and the dinner hour.

2077. Had you any breakfast that morning?—Yes.

2078. What time did you breakfast; can you tell that?—No.

2079. Do you know what became of you after you had voted; what did you do with yourself, or where did you go to immediately after you had voted?—I went down as far as the "Orange Tree," and had a glass of beer there.

2080. Is the "Orange Tree" the side of the town where you voted?—No.

2081. Where was your polling booth at which you had to vote?—No. 1.

2082. I do not know where that was?—By the "Maidenhead."

2083. Then you went to the other end of the town to the "Orange Tree" to get some beer?—I went there for a walk, and called in to have a glass of beer.

2084. What time of the day was that?—I cannot say.

2085. The "Orange Tree" was a Liberal house, I am told?—I do not know what it was.

2086. Can you not tell me what time it was when you went to the "Orange Tree" to get a glass of beer?—I cannot say.

2087. What is your usual dinner hour when you have not got a bad foot?—About half-past 12.

2088. When you told me it was between breakfast and dinner, did you mean your usual dinner hour?—Yes.

2089. How long before your usual dinner hour did you vote that day?—I cannot say.

2090. You cannot say whether it was one or two or three hours?—No.

2091. Did you go to the "Wellington" the first thing in the morning?—Some time after breakfast.

2092. But you were going there for 5 *l.*, you know; did you not go there to look after your 5 *l.* as soon as you had had your breakfast?—It was a good bit after breakfast.

2093. What were you doing after breakfast?—Walking about.

2094. You swear you saw Mr. Ralph there; can you tell me anybody you saw with Mr. Ralph?—I did not know the others that were there.

2095. You saw nobody but Mr. Ralph?—There were other gentlemen there.

2096. Were there people going in and out of the room there?—Yes.

2097. There were a good many people in and out?—In and out of the committee room.

2098. What makes you call it a committee room? You did not see any bill up "Committee Room;" did you not know that the committee room was at the "City Arms Hotel"?—Yes, the committee room was there.

2099. What made you call this a committee room when there was no bill outside, and you knew that the committee room was at the "City Arms Hotel"?—It was the general talk.

2100. Who did you hear call it a committee room?—Well, Mr. Walters told me to go to the committee room at the "Wellington."

2101. Were there any bills outside?—I cannot say.

2102. That is, you did not see any?—No, not to notice them.

2103. Can you tell me when you left the "Wellington"?—No, I cannot.

2104. Did you go away with anybody from the "Wellington" or did you go by yourself?—I went and polled by myself from the "Wellington."

2105. You got your money and went straight away?—Yes, and went to the polling booth.

2106. At what time of the day that was you cannot tell me?—No, I cannot.

2107. Do you not believe that it was before 12 o'clock?—I cannot say.

Re-examined by Mr. Serjeant *Ballantine.*

2108. You have been asked a great many questions about the time you polled, and the time you went to the "Wellington"; when, after the election, were you first asked any of these particulars; how long ago?—I cannot say exactly to the time; it might be six weeks or two months ago.

2109. Not

2109. Not more than that?—I cannot say exactly to the time.

2110. From the day of the election till six weeks or two months ago you had not had any inquiry made of you upon this subject?—No.

2111. Did you mention the receipt of this money before you mentioned it to this gentleman (Mr. Frederick Bodenham)?—No, I did not.

2112. You were sent for by him, and the inquiry was made, was it?—Yes. *J. Stephens.*

2113. Are you married?—Yes. 5 May 1866.

2114. Had you mentioned the matter to your wife?—Yes.

2115. She knew of it?—Yes.

[The Witness withdrew.

JOHN PERKINS, sworn; Examined by Mr. *Macnamara*.

2116. ARE you a Shoemaker in Hereford?—I am. *J. Perkins.*

2117. And entitled to vote for the city as a freeman, I believe?—I am.

2118. Did you know Edward Biggleston, of the "Royal George" Inn?—I did.

2119. He kept it, I believe?—He did.

2120. Is he a voter for the city?—He told me he was; he had to vote for Mr. Baggallay.

2121. Do you remember shortly before the last election seeing him?—I was passing along by his yard, and I saw him; I went in and made a few remarks concerning the election of Mr. Baggallay.

2122. Did he ask you to go in, or did you go in of your own accord?—I went of my own accord.

2123. And you made a few remarks, you say?—Yes, upon the election.

2124. And what did he say to you?—I made a remark first that he would be a strong one, and that it was rumoured that there would be a great deal of money flying about the city, and directly I said that he said, "I will get you 5 *l.*"

2125. Did he say what for?—He did not say what for at the time.

2126. When he said he would get you 5 *l.*, what did you say?—I said he must give more than that; that it was rumoured about that they were giving more than that, and I said, "If you will get me 7 *l.*," and he said, "I am almost sure they will not give that."

2127. Did he say on which side he was?—Baggallay's; he said he was almost sure they would not give that.

2128. Did he say anything about his brother?—He said, "I was to meet him in the evening up in the town."

2129. Where?—At a place called Maylard's-lane; he appointed me to meet him up in the town in the evening, and we met in Maylard's-lane; he did not appoint to meet me there.

2130. Did he say anything about his brother in the morning?—He said his brother Bill was on the committee.

2131. On whose committee?—Mr. Baggallay's committee, of course; he did not explain it in words; but we could understand by his expressions, you know.

2132. Did he tell you where you were to meet him in the evening?—Up in the town; he did not particularly fix any place.

2133. Did you go to him again that day or that evening?—Not that I remember that evening.

2134. Did you meet him that evening?—We met that evening.

2135. What took place then between you?—We went to Maylard's-lane, and he said "They will give you 7 *l.*, providing you will come off at once, so that the others do not lay hold of you."

2136. What did you say to that?—I said I was willing to go, of course.

2137. What did he say?—That I could go anywhere; where I liked, and he fixed on the place, he said, "You may as well go to Brecon."

2138. Did he tell you where to meet him again?—I was to be up at his house the next evening towards seven o'clock. I am not quite certain about the time.

2139. And did you go up the next evening about that time?—I did.

2140. When you went up there that evening, what passed between you?—I was not aware at that time that I was going off that evening; but the fly was ready.

2141. Did he give you anything before starting?—Yes, that was the agreement before starting.

2142. What?—£. 6.

2143. That was paid before starting?—Yes.

2144. After you had received that, where did you go with him?—I went off then.

2145. Who went with you?—He went with me.

2146. How did you go; by what conveyance?—By a fly.

2147. To where?—To the railway.

2148. And then by railway where to?—To Brecon. Please to remember that he said he would guarantee that I should have the money before I did go.

2149. You tell us he gave you 6 *l.*?—£. 6 *l.*, and I was to have 7 *l.* Please let me speak a word. I was to have 7 *l.*, but I had but 6 *l.*; and I asked him about the other 1 *l.*; and he said I was to have the other 1 *l.* in what you call a scrip; I suppose as a messenger or something; I did not understand it exactly.

2150. I understand you to say that that is what he said?—Yes, that is it.

2151. You say he went with you; did he go with you all the way to Brecon?—He went with me all the way to Brecon.

2152. How long were you away from Hereford?—We went away on the Friday, and came back on the day of polling.

2153. That was on the Thursday?—On the Thursday.

2154. Did Biggleston remain with you all the time?—He did.

2155. That would be five days?—I expect so.

2156. Where did you stay at Brecon during that time?—I do not know the name of the person we stayed at, but it was at a private house.

2157. At lodgings?—Lodgings, yes.

2158. Who paid all the expenses of your going there, and living there?—Mr. Biggleston, when I asked him about the other 1 *l.*, said he had but 3 *l.* to pay expenses.

2159. Did you pay anything?—No.

2160. And on the polling day did you return to Hereford?—On the polling day.

2161. And did you vote?—I did.

2162. For whom?—For Mr. Baggallay.

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Cross-examined by Mr. *Giffard.*

2163. Are you a new voter?—No, I have been a voter some years.

2164. How many years?—I cannot tell exactly.

2165. How many times had you voted before?—I cannot recollect.

2166. On which side had you voted?—I voted when Mr. Hobhouse was there, but how long ago that is I do not know.

2167. Was that the only time you voted besides this time?—No.

2168. Why do you mention Mr. Hobhouse's name particularly?—Because you wanted to know the length of time I have voted.

2169. I daresay you know the reason; you voted for the Conservatives always did you not, except when you voted for Mr. Hobhouse?—No, I voted for Mr. Meyrich once.

2170. That was the Conservative side, was it not?—Yes.

2171. You voted for a Conservative on every occasion, did you not, except in Mr. Hobhouse's case?—What do you mean?

2172. Except in the case of Mr. Hobhouse did you always vote on the Conservative side?—I have.

2173. Have you been kept and maintained by certain persons since the election?—Me?

2174. That is my question; now answer it?—No, I have not.

2175. Where have you been living the last two or three months?—I have been with my brother.

2176. At whose expense have you been living with him?—I do not know.

2177. Do you swear that?—I have been to my brother on a visit.

2178. Do you swear that you do not know at whose expense you have been living?—No.

2179. Have you not the least notion?—No.

2180. Is that the only place you have been living at since the election?—I was in the infirmary some time after the election. My leg was bad.

2181. Is there a Mr. Croft in Hereford?—There is.

2182. Mr. John Croft?—Yes, there is.

2183. Have you been stopping with him?—Me?

2184. That is my question, do not repeat it, but answer it?—No, I have not been stopping with him.

2185. Have you been maintained at his expense and through his means?—At his expense?

2186. Come now?—I had a little refreshment there, but I do not know at whose expense.

2187. How long were you under the care of this gentleman, Mr. Croft?—I was only there two days.

2188. You seem to have passed on from house to house?—No.

2189. How many people have you been stopping with in this mysterious way?—Not many people; I have been with my brother.

2190. How long have you been with your brother?—I daresay three months.

2191. Where?—Up in Shropshire.

2192. And you have not the least notion now at whose expense you have been living?—I do not know at whose expense.

2193. Did you go there out of fraternal affection, or who sent you there?—I went there of course.

2194. How came you to go there?—How came I to go there; I was took there.

2195. Who took you there?—Well, a gentleman of the name of Griffiths went with me.

2196. Is that Mr. Bodenham's clerk?—Yes.

2197. I suppose, as you were taken by Mr. Bodenham's clerk, he had taken, your evidence had he not?—He had so.

2198. He first took your evidence down, and then he took you down; what did he give you?—He did not give me anything.

2199. Nothing at all?—No.

2200. Do you mean to say that you were to leave your business as a tailor and to go and be with your brother without anything being given to you?—I am not a tailor; I am a shoemaker.

2201. You gave up your business as a shoemaker, and went and stayed three months with your brother simply to please Mr. Bodenham's clerk?—No, it was not to please Mr. Bodenham's clerk; it was for change.

2202. Was your health suffering?—I had been in middling health a long time.

2203. It was for the sake of your health then, was it; do you swear that it was?—For the sake of my health?

2204. That is my question?—Of course, I went there for a little recreation and my health.

2205. That you swear?—Yes.

Re-examined by Mr. Serjeant *Ballantine.*

2206. So Mr. Biggleston took you to Brecon?—Yes.

2207. And for your recreation and health Mr. Bodenham's clerk took you to Shrewsbury?—He was in the train and I went with him.

2208. And that is the way you went with Mr. Biggleston?—Yes.

2209. Before you had voted Mr. Biggleston took care of you?—Mr. Biggleston did.

2210. And after you had voted we have taken care of you; you have been asked how you voted at the former elections; I suppose your principles are Conservative?—Yes, I should not have voted for Mr. Baggallay if I had not had the money.

2211. Why?—Because I always voted for the Whigs.

2212. You always voted for the Whigs, did you?—Yes.

2213. Who did you vote for at the last election; I mean the one before this?—For the Whigs, to be sure.

2214. What were the names of the candidates, because there is sometimes a mistake about people's principles?—Who was the gentleman that put up that time?

2215. Colonel Meyrick?—Mr. Clive and Mr. Clifford was at that time.

2216. Did you vote for them?—I voted for Mr. Clive and Mr. Clifford.

2217. You say you have voted for the Whigs; do you mean that or not?—Yes.

2218. Always?—Since Mr. Meyrick's election and Mr. Baggallay's, I have voted for the Whigs.

Examined by the *Committee.*

2219. You have said that you remarked to Edward Biggleston that there was a strong opposition, and that there was a deal of money flying about the city, what did you mean by that?—Money

Money for votes, I suppose; I heard different remarks that there would be money flying about the city for votes.

2220. On both sides?—No, I did not hear that.

2221. Only on one side?—Only on one side.

2222. Mr. *Cooke.*] The last poll at Hereford before the last election was between Mr. Clive and a gentleman named Davis; will the Committee be kind enough to ask this witness whether he did not vote for Mr. Davies?—No, I did not.

2223. Do you mean you did not vote for Mr. Davies?—Not that I remember.

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2224. Do you swear you voted for Mr. Clive?—I never voted, as I remember, only for Mr. Meyrick and Mr. Baggallay.

2225. Did you not vote for Mr. Griffiths of New Court against Mr. Pulsford?—I do not remember it; he did not go up.

2226. He stood a poll; did you vote for him?—My memory fails me for that job.

2227. Did you ever vote for anybody of the Liberal party except Mr. Hobhouse?—My memory fails me.

[The Witness withdrew.

CHARLES LEABOURNE, sworn; Examined by Mr. *Macnamara.*

C. Leabourne.

2228. ARE you a Bill-poster in the City of Hereford?—Yes, I am.

2229. Were you employed at the last election to post bills?—I was.

2230. By whom were you employed?—By Mr. Garrold.

2231. Do you remember going and posting some bills according to his orders at the "City Arms"?—I do.

2232. Did you post any bills by his orders at any other inns?—I did.

2233. Name them?—The "Royal Oak," "City Arms," the "Booth Hall," the "Coach and Horses," the "Old Harp," and the "Wellington."

2234. Let me ask you, what bills, amongst others, were posted at the "City Arms"?—"Plump for Baggallay," and "Vote for Baggallay."

2235. What else?—I saw the committee bills there.

2236. Stating what?—"Baggallay's Committee Rooms."

2237. Now go to the "Wellington," what bills were there there?—The same kind of bill, "Mr. Baggallay's Committee Room."

2238. Now go to the "Old Harp"?—The same kind of bill was there.

2239. Who paid you for posting the bills?—Mr. Garrold.

2240. Did you receive other orders beside posting bills, were you told to do anything else?—No, nothing else, only to post the election bills.

2241. Were you told to go anywhere to receive your orders about the bills?—I had to go to Mr. Garrold's office several times.

2242. Did he send you anywhere?—He only sent me to post bills round the town, and different places.

2243. Did he tell you to go to any room in any inn?—He told me to call occasionally to see if anything was wanting.

2244. To call occasionally, where?—At the "City Arms."

2245. Did he tell you what room you were to go to, or where you were to go?—He did not tell me to go anywhere else that day.

2246. Did you call there to see if anything was wanted?—Yes.

2247. Did you go into any room there?—I went into the committee-room.

2248. Did you do that on several occasions?—Yes, on several occasions during the day.

2249. Who did you see in the committee-room?—I saw Mr. Relph there.

2250. In the committee-room of the "City Arms"?—Yes.

2251. Whom else did you see there?—I saw Mr. Baylis there once or twice.

2252. Which Mr. Baylis is that?—Mr. Baylis, the tinman.

2253. Mr. William Baylis, the plumber?—Yes.

2254. You saw him in the committee-room?—Yes.

2255. Who else did you see?—I saw Mr. Deleppe in and out of the committee-room.

2256. He is a dyer?—Yes, he is.

2257. Can you remember any others that you saw in the committee-room?—No, I cannot now.

2258. Did you go there for orders?—Yes.

2259. Did you receive the orders?—Yes, I did.

2260. From whom did you receive your orders there?—I received my orders from Mr. Garrold to turn in occasionally.

2261. Did you receive any directions in the committee-room?—No.

Cross-examined by Mr. *Cooke.*

2262. Were you employed to post bills by anybody else at the election except Mr. Garrold?—I was, sometimes, by Mr. Johnson.

2263. Is that the town clerk?—No, Mr. Garrold's clerk.

2264. I mean, were you employed by any other party except Mr. Baggallay's party?—No.

2265. Johnson gave you orders about bills?—Yes.

2266. Which room at the "City Arms Hotel" do you represent to be the committee-room, the large room?—Yes, the large room upstairs; but I do not know whether it is the largest room in the house.

2267. You know that the hotel at Hereford has got one large room?—Yes.

2268. Which was used for the purposes of the election?—Yes.

2269. At the top of the stairs?—Yes.

2270. Is that the room you have been speaking about to which you were admitted?—Yes, the committee-room.

2271. That is the only room to which you were admitted, is it not?—It is the only room I went into.

2272. Be good enough to tell me what day, before the polling day, you will swear you saw Mr. Relph in that room?—I saw Mr. Relph the day of the election, not before the election.

2273. The day of the poll?—Yes.

2274. There were a good many people in the room?—

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room?—Yes, the room was engaged for the committee.

2275. You went there for directions as to posting?—Yes.

2276. What orders did you go for on the polling day?—Mr. Garrold told me to go and see if there were any orders.

2277. What orders did you go to receive?—For posting the bills.

2278. What bills?—He did not tell me any kind of bills.

2279. Do you mean to swear that you went on the polling day for orders?—I did.

2280. Did you get any?—I saw Mr. Garrold.

2281. Answer my question, did you get any orders to do anything on the polling day from anybody?—Only from Mr. Garrold.

2282. Did you get orders from Mr. Garrold on the polling day in that room?—On the morning of the polling day, not in the room.

2283. My question is, in that room, at the hotel, which you have sworn you went into; attend to my question, do you mean to swear that on the morning of the polling day you went into that committee-room for orders?—I did.

2284. At what time of the day?—Various times.

2285. What time of the day, tell me the first time?—In the morning part.

2286. What do you mean by the morning part?—Perhaps seven o'clock; I was to be at the hotel by that time.

2287. Never mind about the custom, I mean the time of the day when you will swear you saw Relph there?—In the morning.

2288. Give me the time?—I cannot say to an hour or two.

2289. Give me any time?—Perhaps 9 or 10 or 11 o'clock.

2290. Will you swear you saw Relph as early as that?—Yes; I saw him between breakfast and dinner time.

2291. That seems to be the Bodenham cuckoo note. Have you been examined by Mr. Frederick Bodenham before you came to London?—No.

2292. What hour do you mean when you say it might be between breakfast and dinner time?—I got my breakfast at about eight, and dined at about one.

2293. I think you said you went there as early as seven?—Yes; but I did not see Mr. Relph when I went there first.

2294. What time in the day will you swear you saw Mr. Relph in the committee-room?—It might be between eight and 12 o'clock.

2295. Cannot you give it to me nearer than that?—I cannot say to half an hour; perhaps it might be 10 or 11 o'clock.

2296. When?—On the morning of the election.

2297. Tell me anybody you saw in the room that we can call that you spoke to on the morning of the polling day?—I spoke to Mr. Garrold there, and I spoke to one or two more; but I cannot say who else.

2298. Tell me what day you mean to swear you saw Baylis, the tinman, there?—On the day of the election.

2299. The day of the poll?—Yes.

2300. At what time of the day?—In the course of the day.

2301. What time of the day?—I could not say to an hour or two.

2302. You must, indeed, and I shall ask the assistance of the Committee; what time in the day do you mean to swear that you saw Bayliss?—It might be the middle day.

2303. Do you mean to swear it might be middle day?—Yes, as near as I can judge.

2304. Will you swear it was middle day?—It was, as near as I can judge.

2305. Was it morning, middle day, or noon?—The morning part.

2306. What do you mean by the morning part?—Before one o'clock.

2307. What time between eight o'clock and one?—Perhaps it may be 11 or 12.

2308. Did you see Baylis between 11 and 12?—I did not say that.

2309. I will have you fix the time?—About 12 it would be.

2310. Do you mean to swear it was at 12 o'clock?—Yes, about that time.

2311. Do you know Mr. Henry Underwood, the attorney?—Yes; very well.

2312. Did you see him there?—I might have.

2313. Have you not seen him there whenever you have been in the room?—I was not engaged as a messenger.

2314. If ever you have been in that committee-room during Mr. Baggallay's election, will you swear you were ever there without seeing Mr. Underwood?—Very likely I saw him.

2315. Have you any doubt of it?—I might have seen him.

2316. Did you ever go into that committee-room without seeing him?—I very likely might have seen him.

2317. Did you see him?—I cannot say.

2318. Do you know Mr. Pritchard, the attorney?—Yes, very well.

2319. A tall gentleman?—Yes.

2320. Did you see him there?—I cannot say; he might have been there.

2321. Did you ever go into that committee-room—if you ever were there—without seeing Mr. Pritchard?—I did not take particular notice of all the gentlemen.

2322. Who did you speak to besides?—Mr. Johnson and Mr. Garrold.

2323. You spoke to Johnson in the committee-room?—Yes.

2324. Do you mean to swear that you spoke to Mr. Garrold in the hotel committee-room on the polling day?—Yes, I did.

2325. At what time of day?—In the morning, after I had posted a lot of bills.

2326. What were the bills you posted?—"Plump for Baggallay," and "Vote for Baggallay."

2327. Do you mean to swear that you saw Garrold in that room?—Yes, I do.

2328. At what time of day?—Every time I went there nearly; every time I went I saw him.

2329. How many times do you mean to swear you were in that hotel committee-room on the day of the poll?—Three or four times.

2330. Give me the time of day?—I was there three or four times.

2331. Now, I tell you fairly, I am going to contradict you, so be prepared; will you swear any hour when you were in that room when you saw either Bayliss, Garrold, or Delleppe there?—I saw Garrold there at 10 o'clock.

2332. Did you speak to him?—Yes; and asked him if there was anything more to do.

2333. In

2333. In this large room up stairs?—Yes.

2334. Now tell me the other times?—I went there perhaps an hour or two after that, perhaps it might be 12 or one o'clock the second time.

2335. And then you saw Garrold?—Yes; and Mr. Johnson.

2336. Can you tell me anybody else that was in the committee-room at the time, except those?—Only the other gentlemen's names I have mentioned.

2337. Were there not numerous people in the room?—Yes.

2338. What did you see Garrold doing?—I saw him in there engaged the same as the other gentlemen.

2339. Do you mean to swear that you posted a bill headed "Mr. Baggallay's Committee-Room," at the "Wellington"?—I did not say that I posted such a bill: I said I saw such a bill.

2340. Do you mean to swear you saw such a bill?—Yes, I did. "Mr. Baggallay's Committee Room."

2341. Do you mean us to understand that you were not employed to post committee bills?—No; I was not employed to post committee bills on any house.

2342. Do you mean the Honourable Members to understand you as swearing that you saw a bill headed "Baggallay's Committee Room" at the "Wellington"?—Yes, I did.

2343. Where?—On the front of the house.

2344. Posted?—Yes.

2345. What day was that?—On the morning of the election.

2346. Do you mean also to swear that you saw a bill, "Baggallay's Committee Room," at the "Old Harp"?—Yes.

2347. The "Old Harp" has got a frontage to two streets; where was it you saw it?—The frontage on Widemarsh-street.

2348. At what time of day?—Early in the morning.

2349. And what time of day did you see it at the "Wellington"?—Early in the morning.

2350. When were you examined first by anybody about your evidence upon this matter?—I was asked about it.

2351. When, is my question?—A few days ago.

2352. Do you mean us to understand, that you have never been asked about your evidence till within a few days ago?—No.

2353. That is the first time your memory has been directed to what you saw on that polling day, a few days ago?—Yes, regarding the election.

2354. Can you tell me whether those bills which you saw at the "Wellington" and the "Old Harp" were there before the polling day?—No, they were not.

2355. You took that notice?—Yes.

2356. You took so much notice that you know they were not there before the polling day?—I am certain they were not.

2357. Do you mean to swear that you saw Mr. Ralph at the "City Arms" more than once on the polling day?—Yes; I saw him there each time I went there.

2358. That is four times you were there?—Three or four times; it might be three times.

2359. Garrold was present at the same time?—Yes.

2360. And Baylis, the tinman?—No, I did not see him there each time.

2361. How often did you see Baylis, the tin man, there?—I saw him once, or it may be twice.

2362. I dare say you noticed what Baylis was doing in the room?—No, I did not take much notice of him.

2363. What was he doing?—I saw him busy, engaged very active there.

2364. Busy at what?—Moving about, and such like as that.

2365. Did you not see him shelling out sovereigns?—No.

2366. Only moving about?—Yes.

2367. What did you see Ralph doing?—I saw him doing the same.

2368. What; moving about?—Yes.

2369. What did you see going on in this room that you say you went into?—I did not take much notice; all I went there to see was Mr. Garrold, for orders, and Mr. Johnson, that is all I had to do.

2370. What did you see going on in the room?—I saw several gentlemen there talking, engaged one with another.

Re-examined by Mr. Serjeant *Ballantine*.

2371. You are not a voter at all, are you?—No.

2372. And upon this occasion you were employed, as I understand you, by Mr. Garrold?—Yes, I was.

2373. Had you any employment at all upon the other side?—No; not the slightest.

2374. Have you ever had any employment from the Liberals?—Yes; I have been employed various times for both parties, but not at that election.

2375. At that election you were employed entirely by Mr. Garrold's party?—Yes; I was.

2376. You have stuck bills, you say, for other people, at different times?—Yes, I have.

2377. How long have you been in that business at Hereford?—It may be about 16 or 18 years.

2378. As far as I understand, the only people from whom you got anything at the last election were the Conservatives?—Yes.

2379. That was for sticking bills?—Yes.

2380. Have you ever had any quarrel with them?—No, never.

2381. My friend has cross-examined you; have you any motive for coming here?—I was summoned to come.

2382. You have had no quarrel with Mr. Garrold, or his party?—No; they have always been very kind, and employed me, and given me what there was to do.

2383. What have you had to come up here; what did you get with your summons?—I had 2 *l.* to come.

2384. The fare one way is 19 *s.* 1 *d.*?—Yes, it is.

2385. Are you perfectly certain that Ralph was there in the committee room upon the polling day?—He was.

2386. You saw him there more than once?—Yes.

2387. Have you any doubt at all about it?—Not the slightest.

2388. Have you any doubt about having seen Baylis there?—Not the slightest.

2389. Have you any doubt about having seen

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Garrold there?—No, not the slightest. I spoke to him in the room.

2390. Did you receive any orders from Garrold in the morning?—I received my orders the evening before the election.

2391. Had you to post all the bills on the part of Mr. Baggallay?—No, not all; but nearly all; there were a few put into another man's hands.

2392. What were your charges?—I was paid at the rate of 5 *s.* per day for my work; I made out my bills, and was paid my account.

2393. You were paid everything you asked?—Yes.

2394. By the *Committee.*] You stated you had posted some bills at the "City Arms," the "Royal Oak," the "Booth Hall," the "Coach and Horses," the "Old Harp," and the "Wellington"?—Yes.

2395. You did not post committee bills?—No, but I saw the committee bills posted on the houses when I went round.

2396. Were those bills printed?—Yes.

2397. Do you remember what colour the letters were in?—Blue, or black, or something, I know it was a white bill.

2398. Of course the ground was white, what colours were the bills you yourself posted?—I think it was blue letters, but I could not say to the colour of the letters.

2399. What was the colour of the bill that you saw in Widemarsh-street?—It was a light coloured bill, a long strip.

2400. Do you remember what the words were you saw upon this bill?—"Mr. Baggallay's Committee Room."

2401. No other words, nothing about "Sitting here"?—No, I cannot remember that.

2402. You cannot remember what the words were?—No, but I can positively swear to those words "Mr. Baggallay's Committee Room."

[The Witness withdrew.

WILLIAM MANN, sworn; Examined by Mr. *Macnamara.*

W. Mann.

2403. I BELIEVE you are a Coachman at Hereford?—Yes.

2404. Were you employed to drive one of the omnibuses at the last election?—Yes, I was.

2405. On which side did you drive?—Mr. Baggallay's, I think.

2406. What was your first order; where were you to drive to?—To the "Royal Oak," I think it was.

2407. From whom did you get that order?—From the officer at the office.

2408. Did you take voters from there to the poll on the polling day?—I went there first and received orders from the party, and then I went to Blackmarston.

2409. Who gave you orders there at the "Royal Oak"?—The committee, I think; there was a committee sitting there.

2410. You had orders from some one there?—Yes, some one belonging to the party.

2411. You do not recollect the name of the person who gave it to you?—No I cannot; there was a man who received the orders from some one in the house and he gave me orders where to go.

2412. Were there bills on the front of the "Royal Oak"?—I dare say there were; there generally are on those occasions, but I should not like to swear to it; I have no doubt there were.

2413. Where did you go from the "Royal Oak"?—To Blackmarston.

2414. Did you take voters from there?—I think I went two or three times to Blackmarston before I cleared all the voters out of that place.

2415. What other inns were you ordered to go to?—After we had done that part of the town I was ordered to go to the hotel.

2416. What hotel?—The "City Arms."

2417. Did you take voters from there to the poll?—No, I do not think I took anyone from there; there was nothing to do there, and I was ordered from there to the "Wellington."

2418. What did you do at the "Wellington"?—I took voters.

2419. Where did you go with them to?—To the polling place whenever I got any passengers. I went to several places from there.

2420. Do you remember anyone giving you orders, or would it be to your guard?—To the guard; I went by his instructions chiefly.

2421. Did you take voters from the "Wellington" to the poll?—Yes.

2422. You did take some?—Yes; but I cannot say how many.

2423. Mr. *Giffard.*] Are you quite sure you took any from the "Wellington"?—Yes, I am quite sure; I might have taken one, but I am not sure how many, but I was ordered from the "Wellington" to go to other places to pick up.

2424. Mr. *Macnamara.*] Are you quite sure you were ordered to go to the "Wellington," and you went there?—Yes, perfectly.

[The Witness withdrew.

JOHN DAVIS, sworn; Examined by Mr. *Macnamara.*

J. Davis.

2425. ARE you a Coachman at Hereford?—Yes; I was.

2426. At the time of the last election, were you?—Yes.

2427. In whose employment were you?—Mr. Baggallay's.

2428. Were you employed to drive an omnibus on the day of the election?—Yes.

2429. Was that to drive the voters for Mr. Baggallay; were you on that side?—Yes.

2430. Where were you first ordered to go to on that day?—To the "City Arms."

2431. Where were you ordered to go to from there?—To the "Old Harp."

2432. Did you take any voters from the "Old Harp"?—Yes.

2433. Did you see anyone with the voters keeping them together at the "Old Harp"?—I was on the box.

2434. Do you know the landlord of the "Old Harp," Mr. Preece?—Yes.

2435. Did you see him on that day?—Yes; I saw him in the passage.

2436. What was he doing when you got there?—I cannot say, I was on the 'bus.

2437. You say you took some voters from the "Old Harp," where did you next go, after you had taken those voters?—To the booth.

2438. Then

2438. Then where did you go to?—Then I came back again to the "Harp."

2439. Where did you go to from that?—To the "Wellington."

2440. Had you orders to go to the "Wellington"?—Yes.

2441. Did you take any voters from the "Wellington"?—Yes.

2442. Did you see who it was who gave orders about where you were to go upon that day?—A young man from Mr. Ralph gave the orders.

2443. Do you know his name?—No.

2444. Mr. Ralph is a druggist, is he not, in Hereford?—Yes.

2445. Where had you seen that young man before; did you know him at that time?—I did not know what his name was, I only knew him by sight.

2446. Did you know him by sight at the time; had you seen him before?—Yes.

Cross-examined by Mr. *Cooke*.

2447. What hotel omnibus did you belong to at Hereford?—The "Green Dragon."

2448. Is that Bosley's?—Yes.

2449. Mr. Baggallay's party had engaged omnibuses from Mr. Bosley's house, and you were one of the drivers?—Yes.

2450. That is the present mayor we saw here yesterday?—Yes.

2451. About this young man you talk of; who gave orders; was there not a person in attendance upon the omnibus who got the orders and directed you where to go, a guard?—No.

2452. Do you mean that you took your omnibus without anybody at the back to let people in and out?—He was the only man that came along with me.

2453. Did this young man act as guard?—Yes.

2454. The young man from Ralph?—Yes, he came along with the omnibus.

2455. And, by his directions, you went first to one place and then to another?—Yes.

2456. Is that a young man that is now in Hereford; have you seen him since the election: the man that you swear was guard of the omnibus?—I have not seen him since to notice him.

2457. When did you notice him before the election day?—I have seen him about the town; he was at Mr. Ralph's.

2458. Do you mean to swear you have seen him behind the counter in the shop?—I was never in the shop. *J. Davis.* 5 May 1866.

2459. What do you mean by swearing that this was a man at Ralph's if you have never seen him in the shop, but have only seen him about the town?—It was the man that went along with me, and no other.

2460. What do you mean by saying that he was at Ralph's if you had never seen him in the shop, and only knew him by sight?—I saw him at Mr. Ralph's.

2461. Do you mean outside the door?—In the house.

2462. I thought you said you were never in the house?—I was never in the house, but I have seen him in the house as I have been passing.

2463. Be careful; that shop is a very small one, is it not; where do you mean to swear that you saw that man in Ralph's shop?—Down at the "Old Harp."

2464. Did you ever see him anywhere else except with your omnibus and at the "Old Harp"?—Yes, about the town.

2465. Anywhere else?—I have seen him go in and out of Ralph's shop.

2466. Before the election, or since the election?—Since the election I saw him, and before the election.

2467. Do you mean to say you have seen him since the election?—No, I do not say that I have seen him since the election.

2468. When do you mean to swear that you saw him go in and out of Ralph's shop before the election?—Several times.

2469. Tell me any one period you can speak to?—(*No answer.*)

2470. Did you remain on the coach-box during the time you were driving the omnibus?—Yes.

2471. And the voters got in and out without your seeing them?—I cannot say who got in and out.

2472. Your omnibus went down the Widemarsh-street, where the "Old Harp" is?—Yes.

2473. How far down that road did you go with the omnibus, on the polling day?—Down to the "Old Harp."

2474. Did you not go beyond it?—No.

2475. You pulled up at the "Old Harp"?—Yes, and turned round.

2476. And came back again?—No, we stopped there.

[The Witness withdrew.

WILLIAM RICHARDSON, sworn; Examined by Mr. Serjeant *Ballantine*.

2477. WHAT are you?—A Fly Driver.

2478. You are not a voter?—No.

2479. You remember the last election at Hereford?—Yes.

2480. Were you ostler at the "Mitre Hotel" during the election?—Yes.

2481. Was it your duty to drive a fly?—Yes.

2482. Which side did the "Mitre" belong to?—On the Tory side.

2483. Did they keep a couple of flys?—Yes.

2484. Were they employed by Mr. Baggallay's committee?—Yes.

2485. On the day of the election had you a couple of extra flys?—Yes.

2486. Did you drive out with Mr. Baggallay, occasionally, canvassing?—Before the election, do you mean?

2487. Yes?—Yes.

2488. And Mr. Garrold?—Yes. *W. Richardson.*

2489. Was Mr. Garrold with Mr. Baggallay, or did you drive him at other times?—There were two or three gentlemen with him.

2490. Can you remember whether Mr. Garrold was with him or not?—No.

2491. Do you remember the Sunday evening before the day of the election?—Yes.

2492. Were you sent for to go into the hall of the "Mitre"?—Yes.

2493. Who did you find there?—Mr. Baylis, the tinman.

2494. Did you see Mr. Garrold?—Not on the Sunday evening.

W. Richardson.

5 May 1866.

2495. What did William Baylis say to you?—

Mr. *Cooke* objected to the question, on the ground that the agency of Baylis had not been established.

Mr. Serjeant *Ballantine* was heard against the objection.

Mr. *Cooke* was heard in reply.

The *Chairman* stated, that the Committee were of opinion that the question could not be put, *prima facie* evidence of agency as yet not having been established.

2496. Baylis said something to you?—Yes.

2497. In consequence of what he said to you, did you drive a fly anywhere?—Yes; to a public-house called the "Goose and Cuckoo."

2498. Where is the "Goose and Cuckoo"?—About a mile and a-half out of Hereford.

2499. Did you meet anybody there?—Yes.

2500. Whom did you meet there?—Mr. Baylis and another man.

2501. You say it was Baylis who sent you; was it in consequence of what Baylis told you that you drove to this public-house?—Yes.

2502. Did you meet Baylis again?—He walked on, and I took the fly after him.

2503. You saw Baylis in the hall of the "Mitre"; did you see Mr. Garrold also?—No.

2504. You do not remember that?—No.

2505. Baylis had walked on?—Yes.

2506. Who was he with?—I do not know the man's name, but I know him very well by sight.

2507. Do you know whether he was a voter or not?—No, I do not.

2508. Do you know any man of the name of Charles Lapper?—Yes; that was the man who was with him.

2509. When you saw them, what did they do?—They got into the fly, and I took them from there to Withington Station.

2510. What did you do there?—We stopped there, and met a train coming in from Worcester.

2511. What did you do then?—We met with a man of the name of William Cox there.

2512. Is he a plumber?—Yes.

2513. What did you do with him?—Took him from there to Mr. Garrold's, at Killforge.

2514. What became of Lapper?—He came along.

2515. You took Lapper and Cox?—Yes; and Mr. Baylis.

2516. How far is Killforge from Hereford?—Between eight and nine miles.

2517. What house did you take them to there?—I believe the gentleman's name was Garrold, at the house where we stopped.

2518. Is that the brother of Mr. Garrold we have been talking about?—I do not know.

2519. It was a house at Killforge?—Yes.

2520. This was the Sunday evening before the election?—Yes.

2521. What did you do with them there?—I brought Mr. Baylis and Cox back, and left the other men there.

2522. That is Lapper you left there?—Yes.

2523. You took Cox and Baylis back to Hereford?—Yes.

2524. Did you see anyone at Killforge when you left Lapper?—Yes.

2525. What do you mean by saying you left him?—We left him in the kitchen there.

2526. Did you see him in the kitchen?—Yes; we went into the kitchen with him; we all went in, and had something to take there.

2527. Do you mean to drink?—Yes; something to eat and drink.

2528. Did you find any people there?—There was a man servant and a woman servant there, and a man spoke to us through the window; but I cannot say who he was.

2529. You and Cox, after having had something to eat and drink, went off to Hereford?—Yes, and Mr. Baylis.

2530. Mr. *Cooke.*] What time of night was this?—Between 12 and one.

[The Witness withdrew.

CHARLES SMITH, sworn; Examined by Mr. *Macnamara.*

C. Smith.

2531. ARE you a Voter for Hereford?—I be.

2532. Were you canvassed by Clifford and Clive?—I was.

2533. Did you promise to vote for them?—I did.

2534. Did Mr. Baggallay afterwards call upon you?—I do not know that he did; his friends did.

2535. Did you tell them you had promised your vote?—Yes.

2536. Do you know Mr. R. O. Garrold, a cousin of Mr. Garrold?—Yes.

2537. Did he come to you on the day of the election?—You mean Richard Garrold, the ox-dealer.

2538. Is he an ox-dealer?—Yes; or sheep-dealer, or whatever you like to term it; I did see him.

2539. What did he say to you?—He promised me seven lambs if I would vote for Mr. Baggallay; that is the truth, mind you.

2540. Did he say where they were?—Yes, he did.

2541. Where were they?—Down at Bay's Court, a meadow belonging to Mr. Preece, of the "Harp."

2542. Did anybody hear this, besides yourself?—Yes, I believe so; but you will hear that presently.

2543. Was Mr. Prew present?—Yes.

2544. Was your wife present?—Yes, she was; she was very poorly. She said, "Get down out of my house, you vagabond!" She is dead now, poor creature; but there is Prew to prove what was said. I was never bought in my life, and never intend to be.

2545. Was there anybody else living there; was a Mrs. Treen there?—Yes, she was; and there was Hewitson, the man that came with the fly.

2546. Was Hewitson present?—Yes.

Cross-examined by Mr. *Cooke.*

2547. What are you?—I do not know exactly; I am a butcher, and always pay 20 *s.* in the pound.

2548. You have said that Mrs. Treen was present at your house?—Yes, she was.

2549. What is the name of her husband?—Treen

Treen, his name must be; I do not know much about him.

2550. Is it William Treen?—He is a coal merchant. Mrs. Treen was in my house at the time, but Mr. Treen was not. Mrs. Treen heard what passed.

2551. Do you know Mr. Aston, a solicitor?—Yes.

2552. Did he canvass you for your vote?—Yes, he did; but he did not press me.

2553. For Mr. Baggallay?—Yes.

2554. Did you promise that gentleman you would give him your vote?—No, I did not.

2555. Do you know Mr. Jones, of Powson?—Yes.

2556. Did it so happen that you got a couple of sheep of his?—Yes; but by paying for them.

2557. I mean before the polling day?—I never got a sheep without paying for it; I bought them. I do not owe him a farthing.

2558. Did Mr. Jones, one of the Liberal party, see you on the polling day?—He did; and I went in a fly with him, but I never bought anything without paying for it, and he never treated me to anything.

2559. If you go on so fast, perhaps the Honourable Members may fancy he did?—I do not mind that.

2560. Mr. Jones took you up in a fly to poll?—Yes. I thought I would go with a respectable man.

2561. Did two of his sheep find their way into your slaughter-house?—Yes, they did; but not without paying for them.

2562. Did some of his sheep find their way into your slaughter-house?—Never.

2563. Since the election?—No.

2564. I thought you told me just now, that they did by paying for them?—Yes, they did by paying for them.

2565. Do you mean to say, no sheep came at all to your slaughter-house?—Never at all without paying for them.

2566. Soon after the polling day——?—No.

2567. You had better hear the question; how soon after the poll day, and after you had voted, did some sheep from Mr. Jones come to your slaughter-house?—Never at all.

2568. Do you mean to swear that?—Never at all.

2569. I ask you whether after you had voted, some sheep of Mr. Jones's did not come to your slaughter-house?—No.

2570. Or to your meadow?—No, nor my meadow. I have none, I am sorry to say. I had two meadows, but not from electioneering. I was never bought, and a man is not worth a farthing that was bought.

2571. Have you had no sheep by buying from Mr. Jones?—I have had 70 *l.* and 80 *l.* worth.

2572. Since you voted?—No; there is no use in your worrying me like this. Mr. Garrold offered me these seven lambs, because he thought I was poor, and my wife ill, but no money would ever turn me.

C. Smith.

5 May 1866.

2573. You may abuse Mr. Garrold as much as you like; do you mean us to understand that since the day of the election, you and Mr. Jones have had no trading with sheep?—No.

2574. Either by paying, or without paying?—No, not a farthing.

2575. Did Treen happen to pay you any money?—No, I do not owe him any money.

2576. I did not suppose you did; did you have any money from Mr. Treen either before or since the election?—No, never; I never draw no money off nobody.

2577. Do you know John Derry, a blacksmith?—I do; a very tidy man.

2578. Have you not told John Derry that you had 7 *l.* 10 *s.* from Treen?—I might, like a fool.

2579. Did you not tell John Derry that you had 7 *l.* 10 *s.* from Treen?—After you have done, perhaps you will allow me to speak.

2580. I will trouble you to answer my question?—I never had a farthing for voting.

2581. I will trouble you to attend to my question, and answer it in a proper manner; and if you will not do it, I must appeal to the Committee to assist me; have you not told John Derry, the blacksmith, that you had 7 *l.* 10 *s.*?—Not that I know of.

2582. What did you mean by saying just now, "I might, like a fool;" you have told me Mr. Derry is a respectable man; have you not told Mr. Derry—— ?—Never in my life.

2583. You have not heard my question; are you prepared to swear you never told him anything?—Yes, I think I will.

2584. You never told Derry anything?—No.

2585. You have never spoken to him?—Oh yes, I have; he is a tidy, good neighbour, and an honest good man like myself.

2586. It is lucky you give yourself a good character; attend to me, and I will have the question answered; have you not told John Derry that you had 7 *l.* 10 *s.* from Treen for your vote?—Never in my life.

2587. Do you know John Davis, the broker?—I do, and many a pound he has lent me.

2588. Did you not tell him that Treen had given you 7 *l.* 10 *s.*?—Never in my life.

2589. Do you know George Power?—Yes, I do.

2590. Did you ever tell him that you had 7 *l.* 10 *s.*?—I might.

2591. Was what you told, false?—To be sure it was; they thought I was not wide awake.

Re-examined by Mr. *Macnamara.*

2592. Did you receive anything for your vote?—No, not a farthing; and no man can ever say, though I have been in the town for 45 years, that I ever have; a man ought to have three months' imprisonment whoever did.

2593. Do I understand you to say, that what you said to Power and these other men was all in what you call "chaff"?—Yes.

[The Witness withdrew.

HENRY PREW, sworn; Examined by Mr. *Macnamara.*

H. Prew.

2594. ARE you a Butcher?—Yes.

2595. And a dealer; a buyer and seller?—Yes.

2596. Do you remember the day of the last election for the City of Hereford?—Yes, very well.

2597. Were you at Charles Smith's house that day?—Yes, I was.

2598. Was a Mrs. Treen there also?—Yes, Mrs. Treen was in the house, along with Mrs. Smith.

H. Prew.

5 May 1866.

2599. Do you remember Richard Garrold coming there?—I do, very well.

2600. Did you hear him speak to Mr. Smith?—I did.

2601. What did you hear him say?—I heard him offer Mr. Smith, in the first instigation, five lambs to vote for Baggallay; then he says, "Take the seven, Prew," and he offered me the key out of his pocket. I had bid him money for the lambs in the market a week before.

2602. By the *Committee.*] What are you?—I am a butcher, and buy for Mr. Smith, and sell for him, and have a bit of business of my own.

2603. Mr. *Macnamara.*] What did Smith say when this offer was made?—Mr. Clive had got his son a situation as exciseman, and Mr. Jay, the lawyer, says, "Give Mr. Clifford one," and he says, "I will, and I never budge from my word."

2604. He had promised Mr. Clive?—Yes.

2605. Mr. Clive had got this son in the Excise?—Yes.

2606. Do you know how long his son has been in the Excise?—About three or four years.

2607. Did you hear Mrs. Smith say something to Garrold?—Yes, "Get out of the house, you dirty brute;" those was the words, and nothing else. Garrold came in three parts drunk, and I would have knocked him down if it had not been for summut.

Cross-examined by Mr. *Giffard.*

2608. Do you mean to swear that Mr. Garrold was drunk?—I did not say that; I said three parts drunk.

2609. You see I do not know how you divide it?—No man would come that way into a room with a woman so ill that she died a few days afterwards, unless he was.

2610. Tell us all about it; what happened?—He went into the parlour where Mrs. Treen was, and Mrs. Smith together. The little place is no wider than that table.

2611. Did you go in there too?—No, I was in the shop; my business was there.

2612. Just content yourself with answering my question; did you go in there?—I could see the window.

2613. Did you go in?—No, I did not.

2614. Did you hear what passed in that little room?—By all manner of means.

2615. What did pass in that little room?—She told him to go out.

2616. Was that all that passed?—He volunteered to give her the lambs for her husband to vote for Baggallay.

2617. What was first done after they got into the little room?—If it had not been for Mrs. Treen——

2618. Tell us what passed?—Garrold came out to me and offered me the key, and pulled it out of his waistcoat pocket.

2619. I want to know what passed in the little room, which you say you heard?—What passed with Mrs. Smith?

2620. Yes?—He says, "Take the seven lambs; will your husband vote for Baggallay," and she says, "Get out, you dirty filthy brute," or "vagabond."

2621. Do not drop your voice; we want to hear what you say?—That is the truth.

2622. Speak out if it is the truth?—She says, "Go out you filthy dirty brute; go out of my parlour."

2623. Then the offer of the lambs, as I understand you, was made to the wife, Mrs. Smith?—Mrs. Smith, Mr. Smith, and Henry Prew. I was to fetch them out of the meadow, and he offered me the key.

2624. Was the offer made to Mrs. Smith if her husband would vote, or was it made to Mr. Smith himself?—It was made to Mrs. Smith, Mr. Smith, and Henry Prew.

2625. Do you mean that the offer was repeated more than once?—Yes, three or four times, and a man brought a fly to take him up.

2626. Was it the first time the offer was made that Mrs. Smith used that language?—Yes.

2627. How came it to be made again?—Because he came into the shop to me. He had been with me at the "Angler" long before that time.

2628. Have you now told us all that passed on this occasion when these lambs were offered?—Yes, I have told you the truth.

2629. Have you told us all?—Mr. Garrold offered the lambs, and pulled the key out of his pocket of the meadow for me to fetch these lambs out.

2630. He offered it to you?—Yes, he offered me the key, and Hewitson had a fly to take him up to the poll.

2631. Did you speak when he offered you the key?—Yes, I did; I told him he had promised for Clive and Clifford.

2632. How did you know that?—Very well; I ought to know.

2633. How did you know it?—I conducted his business in every way; he had no son at home then, and I had to go to market, and buy and sell everything.

2634. That is how you know he had promised to vote for Clive and Clifford?—I knew very well. Mr. Jay came there.

2635. When did Mr. Jay come there?—The very day as Mr. Clive came.

2636. What day was that?—I cannot say exactly.

2637. I did not ask you exactly?—It was before the election.

2638. About what time before the election?—I should say three weeks or a month.

2639. And you were present, were you?—He did not know as Clifford was a Member.

2640. Were you present when Mr. Clive and Mr. Jay came?—Yes, I was.

2641. Into what room did Mr. Clive and Mr. Jay come?—No room at all; in the street, in the front shop.

2642. What passed when they came; was anything said about a place for the son?—The son had got the place three years previous to that.

2643. Was anything said about the place for the son at that time?—Yes, Mr. Smith said, "I shall vote for you, Mr. Clive, because you got my son a situation in the Excise."

2644. Was that all that passed?—Yes, that is all that passed, to the best of my knowledge.

2645. What did Mr. Jay say?—He said directly, "Smith, you will give my friend a vote, will not you; he has been a Member for Hereford these 21 or 22 years;" that is Mr. Clifford. Says he, "I do not know him." Mr. Jay says, "He has been our Member for 22 years;" and Smith says, "I will give you one."

2646. What

2646. What time was it Mr. Garrold came?—About half-past two.

2647. Mr. Smith had not voted at that time?—No.

2648. What time did he vote?—About a quarter to three, or it might be three o'clock.

2649. Did you see Mr. Jones, of Powson, that day?—Yes.

2650. At what time?—Three o'clock.

2651. How long after Mr. Jones, of Powson, had come there did Smith vote?—I put Mr. Smith in the fly along with Mr. Jones.

2652. How long after?—Not long; it would not be above 10 minutes afterwards.

2653. Mr. Smith deals with Mr. Jones?—They have never had no dealings for the last two years. He has only had about one tup off him.

2654. When was that?—A year and a-half ago.

2655. It is not true that Mr. Smith had hundreds of pounds' dealings with Mr. Jones, of Powson?—Yes, he had years ago; not within the last two or three years.

2656. Mr. Jones is quite a young man, is he not?—No, he is a very old dealer; he smashed about two years ago.

2657. I think you say you managed for Mr. Smith?—I did; his son has come home now.

2658. What have you been yourself; have you always been manager for Mr. Smith?—No, I have been a master butcher, and as good a one as any in the city of Hereford. *H. Prew.* 5 May 1866.

2659. Have you ever been in trouble?—Never in my lifetime, that I know of, only drunk.

Re-examined by Mr. *Macnamara.*

2660. You say you saw Mr. Jones, of Powson, that day at three o'clock?—I put Smith in the fly with Mr. Jones.

2661. Were you present when Jones and Mr. Smith were together in the shop on that day?—Of course I was.

2662. Did you hear all that passed between them?—I heard Mr. Jones say, "Charles, come up with me;" and he says, "I will go with no one else."

2663. Did you hear anything more pass?—Not a word.

2664. Did you hear any offer of money or sheep for his vote?—Not a penny, I will swear.

2665. You heard distinctly what passed between them?—Yes, that is all that passed, I will swear; he had not the worth of the dirt under my nail. I wish they was all as honest voters as he is.

[The Witness withdrew.

JOSEPH HEWITTSON, sworn; Examined by Mr. *Macnamara.*

2666. On the day of the election, did you drive Mr. Richard Garrold and Mr. Charles Smith?—Yes. *J. Hewittson.*

2667. Did you hear any part of the conversation that took place in the house while you were there?—Yes.

2668. State to the Committee what you heard?—I heard Mr. Garrold say something about some lambs.

2669. Can you recollect what it was?—He said they were in the meadow.

2670. To whom did you hear him say that?—To the butcher.

2671. Do you know Prew?—Yes.

2672. Was he there?—Yes.

2673. Did you hear Mrs. Smith say anything in a loud tone of voice?—Smith said he would not.

2674. Would not what?—I do not know what the meaning of it was; Garrold said there were some lambs in the meadow, and I heard Smith say, "No, he would not."

Cross-examined by Mr. *Cooke.*

2675. What party did you drive for?—For Mr. Baggallay's party.

2676. What inn do you come from?—The "Green Dragon."

2677. Do you know a man named Arnold, who drives the mail to Grosmont?—Yes.

2678. Do you recollect him coming up to Hereford on the day of the election?—No.

2679. Did you not see him?—No.

2680. Have you seen him since?—Yes.

2681. Had you any conversation with him about the election?—No.

2682. He has never spoken to you about it?—No.

[The Witness withdrew.

GEORGE HEDGER, sworn; Examined by Mr. *Macnamara.*

2683. You are a Dealer, living in Hereford?—Yes. *G. Hedger.*

2684. And entitled to vote as a householder?—Yes.

2685. Do you know Philip Relph, a druggist, there?—Yes, I do.

2686. Do you remember shortly before the last election going into his shop?—Yes, I do.

2687. About how long before the election would that be?—About three weeks.

2688. I believe you went there to purchase something?—Yes, I did.

2689. What did Relph say to you?—Which way was I going to vote.

2690. What did you say?—I said I had partially promised Clive and Clifford.

2691. What did he say to that?—He said it would be more advantageous for me were I to vote on their side, Mr. Baggally's.

2692. What did you say to that?—I said, "In what way;" he says, "I will send a gentleman to see you, and call upon you."

2693. Did he say for what purpose he would send him?—To arrange something; I did not know what.

2694. Did he say when he would send him?—I asked him the question.

2695. And when did he say?—"Oh, to-night."

2696. Did any one call upon you that night?—Yes.

2697. Who?—Mr. Baylis.

2698. What Mr. Baylis?—Mr. Baylis, the plumber, of Commercial-street or Commercial-road.

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2699. William Baylis?—Yes.

2700. Did he come into your house, and see you?—Yes, he did.

2701. What did he say to you?—He introduced himself by saying, he was sent by Mr. Relph to me; I never knew him before.

2702. Did he say what he had come for?—He wanted to know what I wanted.

2703. What you wanted, for what?—For my vote.

2704. What did you say?—I said 10 *l.*

2705. What did he say?—"You shall have it, or 12 *l.* or more."

2706. What did you say then?—I said then, "I will promise to vote for you;" but I says, "You must bind the bargain."

2707. What did he then do?—He gave me two sovereigns.

2708. Did he say anything to you about the payment of the remainder?—He said I should have some when I wanted it.

2709. Do you remember, after this, going to the office of Mr. Garrold, the solicitor, after you had had this conversation with Baylis?—Yes, I do.

2710. Did you there see a person of the name of Martin Taylor?—Yes.

2711. A person who is in his office, I believe?—Yes.

2712. Is Martin Taylor also a freeman of Hereford?—Yes, he is.

2713. I believe you said something to Martin Taylor, and while you were speaking to him, did you see Mr. Garrold?—Yes.

2714. Where did Mr. Garrold come from?—From the office.

2715. Where were you with Martin Taylor?—Martin Taylor was standing on the steps, and I was standing just outside.

2716. At the door?—Yes.

2717. When Mr. Garrold came out of his office, did Martin Taylor say anything to him?—He introduced me to him as an old friend of Martin Taylor's, and explained the object of my visit.

2718. What did he say to Mr. Garrold?—He said, that I had received part of the money, and I felt rather anxious about the remainder, and would it be safe if I were to leave it as it was, in Mr. Baylis's hands.

2719. Some conversation had taken place between you and Taylor, before Mr. Garrold came?—Yes.

2720. What did Mr. Taylor say to Mr. Garrold?—He repeated what I had said to him.

2721. He said you had received part of the money, and felt rather anxious about the remainder?—Yes.

2722. Was Mr. Baylis's name mentioned?—Yes.

2723. What did Martin Taylor say about that?—He said, he thought it was all right.

2724. When he said this to Mr. Garrold, what did Mr. Garrold say?—He said there was no doubt about it.

2725. Did he say anything more?—No, I think not.

2726. Was Mr. Baylis's name mentioned by Martin Taylor?—Yes.

2727. How was that?—He merely mentioned that I had received part of the money from Mr. Baylis.

2728. Soon after that, do you remember meeting Mr. Baylis in the street?—Yes.

2729. What did he say to you?—He says, "Do you want any more money"?

2730. What did you say?—I said, "Well, it is always useful."

2731. What did he then do?—He gave me 2 *l.* more.

2732. On the evening before the election, did you go to the "City Arms"?—Yes, I did.

2733. What part did you go into first?—The hall.

2734. While you were in the hall, did you see anybody come from upstairs, and if so, whom did you see first?—I saw Mr. Garrold first; he came down stairs.

2735. That is, Mr. Thomas William Garrold, the solicitor?—Yes.

2736. What did you say to him?—I said to him, "Will you allow me to ask you a question?" and he says, "Certainly;" I then says, "Will the money be right to-morrow morning?" and he says, "That is not a professional question to put to me, but there is no doubt about it."

2737. Did you see anybody else come down stairs after that, while you were there?—I saw Mr. Baylis.

2738. On the morning of the election did you go to Mr. Baylis's house?—Yes, I did.

2739. Did you see him there?—Yes, I did.

2740. About what time was that?—About seven.

2741. What did he say to you?—He ordered me to the "Old Harp."

2742. Did you then go to the "Old Harp"?—Yes, a few minutes afterwards.

2743. What room did you go into there?—The Foresters' lodge room.

2744. On what floor is that?—The first floor.

2745. Up stairs?—Yes.

2746. Were there many persons there?—The room was full.

2747. Did you see Philip Relph there?—Yes, I did so.

2748. What was he doing?—He was calling over the names of the voters in the different wards.

2749. And as they were called over, what was done with them?—They went off in the omnibus waiting at the door.

2750. Was that to go to the poll?—Yes.

2751. Did Relph say anything to you while you were there?—He wished us all to go and poll.

2752. What did you say?—I said, "I am not going until the contract is fulfilled."

2753. What did he say to that?—He made no reply, I think.

2754. Did he do anything or go anywhere?—Yes, he left the room.

2755. Did he say where he was going?—No, but he sent a messenger or some one.

2756. You say he left the room, and then a messenger came; in consequence of what the messenger said, where did you go to?—To the "Wellington" inn.

2757. Did others go with you?—Yes.

2758. When you got to the "Wellington," who did you first see there?—I saw Mr. Relph in the room, and several more, perhaps 20 or 30 of them.

2759. Did you speak to Relph when you got there?—Yes, I did.

2760. What did you say to him?—I said that we must come to business, and then he says, "It is all right."

2761. In

2761. In what room was that?—The largest room.

2762. On what floor?—The first floor.

2763. Up stairs?—Yes.

2764. Were you told to do anything or go anywhere?—No, not just then.

2765. State what passed?—He retired from the room, and went into an ante-room at the side, a room adjoining.

2766. What then took place?—He remained there perhaps five minutes; I do not know exactly how long.

2767. What happened then?—He came out and gave a hint.

2768. How do you mean came out and gave a hint?—He nodded to Mr. Cale.

2769. Who is Mr. Cale?—He is from Hereford; Warren Cale is his name.

2770. Is he a painter?—Yes.

2771. Is he a voter?—Yes.

2772. What then took place?—Cale went in.

2773. Where?—Into the small room.

2774. Did Cale come out again, or what then took place?—I stood on the step of the door, and saw him receive, I believe it was 10 *l.*

2775. From whom did he receive it?—From Mr. Baylis.

2776. Which Mr. Baylis?—The plumber.

2777. Did you go into the little room?—Yes.

2778. Did you speak to Mr. Baylis?—Yes.

2779. What did you say?—I said, "I want my balance."

2780. Did you say what the balance was?—No, he asked me how much I required.

2781. How much did you say?—I said, "6 *l.* will make up the 10 *l.*, but you promised more."

2782. What did he say to that?—He said, "I will give you the 6 *l.* now, and you must wait for the 2 *l.*"

2783. Did he give you 6 *l.*?—Yes.

2784. Did he make any entry of it anywhere?—Yes, he did, in a small book.

2785. What did you then do?—I left.

2786. Where did you go to?—I came away with Cale; he showed me the money he had received; he went to poll, and I went to breakfast.

2787. Did you afterwards go and poll?—Yes; I went and polled afterwards, and polled a plumper for Mr. Baggallay.

2788. What was the time of day when you and Warren Cale came away from the "Wellington"?—It would be about half-past 8, I should think, but I could not speak to that accurately; I should think that was about the time.

2789. What time was it when you went to poll?—About 11.

2790. Do you know Thomas Hare, a shoemaker, at Hereford?—Yes, I do.

2791. Do you remember having some conversation with him some short time before the election?—Yes.

2792. Did you also see him on the morning of the election?—Yes.

Cross-examined by Mr. *Giffard.*

2793. I think you said you were a tailor by trade?—Yes.

2794. Do you work as a journeyman?—Yes.

2795. For whom do you work?—Mr. Howells.

2796. Do you know a gentleman of the name of Deleppe, a dyer?—Yes, I do.

2797. Do you remember seeing him early in the present year, in the month of January?—No.

2798. Did you see him?—Not to my recollection; I do not remember it. *G. Hedger.* 5 May 1866.

2799. Did you see him on the 31st of January in this year?—Or the 1st of February.

2800. Did you go to his house by appointment one day?—Yes, I did.

2801. About what time did you go there?—About one, I think it was.

2802. When was the appointment made for you to go there?—Two days before.

2803. Was the time mentioned for the appointment?—It was merely mentioned between 12 and 2.

2804. When you got there, did you tell Mr. Deleppe that you had had 10 *l.* from Mr. Frederick Bodenham?—No, I could not, I never had it.

2805. Did you tell him you had been offered 10 *l.* by Mr. Frederick Bodenham?—No.

2806. Did you mention a sum of 10 *l.* in connection with Mr. Frederick Bodenham's name?—No.

2807. That you are quite certain of?—Yes; positive.

2808. Did you say that the 10 *l.* was part of 50 *l.* which you were to have from Mr. Frederick Bodenham?—No.

2809. Nothing of the sort?—No; nothing of the sort occurred.

2810. Did you say, "I was told I should have 15 *l.* if I made a statement for them," that is, Mr. Bodenham?—No.

2811. Did nothing of the sort pass?—No; I never heard such a thing.

2812. Did you say, "He gave me none of it in hand"?—No.

2813. You had better be careful?—I am careful, and I am positive about it.

2814. Attend; it is possible there may have been a shorthand writer within hearing; you went there by arrangement, you know?—Yes, I did.

2815. Did you say, "I am particular on that point; I could have 15 *l.* if I went in favour of their party"?—I did not.

2816. Just let me read to you the whole statement, in order that you may have it brought to your mind: "I said a little money would be useful to me, to go into business. I have had 10 *l.* altogether for my vote, and it done me no good to have it at different times. They don't like to part with the money after I had voted. I did not have the 10 *l.* direct from Frederick Bodenham, but through an agent of his. I know others who had money from them. I have had a good many with me, but nobody to-day; I am to meet him at four o'clock this afternoon. I saw him yesterday. I suppose there will be a counter-petition. I must have the money down before I go. I am prepared to swear that I had a promise of 50 *l.* from Mr. Bodenham; I worked heartily for them. The first offer of 5 *l.* down was in the last week of October, or the first week in November; I am not certain if it was the second week in November. Charles Bodenham first spoke to me about my vote; he did not offer me anything direct, but did by inference. The night that I was at the 'Coach and Horses' meeting, I had some wine in their committee-room; nobody knows anything about it but me and the man who brought it. I shall say as little as I can, but what I do say will be to the point. I want to get the most I can from some one; I shall be satisfied to pay my own expenses, unless I prove

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my case. I have the election of Clive or Baggallay in my own hands, as far as bribery is concerned, and I will give the proof when I get to London; of course, I am not going to say anything until I get there. I shall give evidence in favour of that party who will pay me best, whichever side it be. It will be their policy to pay me well, as I have witnesses to corroborate what I have said. I shan't tell anything till I go to London; I shall let this do me some good for my family, and won't let it slip through my fingers." Now, I have read to you the whole of that?—You have.

2817. Upon your solemn oath, did nothing of that sort take place between you and Deleppe?—It did not.

2818. I warn you; the shorthand writer was out of your sight; do you mean to say that nothing of that sort passed between you and Mr. Deleppe?—I do.

2819. Not one word of what I have read to you?—Yes.

2820. You have been away from Hereford?—Yes, I have.

2821. Have you been supported by Messrs. Bodenham for some time?—No.

2822. Have you been taken care of by them?—No.

2823. For no time at all?—I have been away, but I have been at work.

2824. Where have you been away?—At Warwick.

2825. Do you mean to say you have received no support from Messrs. Bodenham?—My wife has a small sum every week.

2826. Why did you not say so before?—You asked me if I had received any support.

2827. During what period has your wife received that small amount every week?—About three months.

2828. She remains at Hereford?—Yes, she does.

2829. So that while you are working at Warwick, Messrs. Bodenham maintains your wife at Hereford?—Partially so.

2830. I will not repeat the statement to you again; you say that nothing of the sort happened; tell me this, is there any truth in the statements put before you; is it true you did get any offer of money to give evidence?—No.

2831. Either directly or indirectly?—Certainly not; I never did.

2832. Was any money, directly or indirectly, offered to you to vote for Mr. Clive?—There was not.

2833. To whom did you first make the statement which you have made to-day?—To the person who employed me.

2834. What is his name?—Mr. Howells.

2835. When?—I think it was somewhere in November.

2836. When did you first come into communication with the Messrs. Bodenham?—Somewhere in December, I think.

2837. Did you go to them, or did they come to you?—I went to them, with Mr. Howells.

2838. I suppose when you went to them in December, you stated to them what you have stated to-day?—Yes.

2839. How came you to do that?—By request.

2840. By whose request?—Mr. Howells wished me to tell all I knew about it, and I did so.

2841. At the time you made that statement, you were still in Mr. Howells' service?—Yes.

2842. How came you to leave him?—Trade was not good.

2843. How soon after you had made that statement, did you leave Mr. Howells' service?—I never left him at all.

2844. Did you not; are you working for him now?—Not now, I am not; I shall be when I go back.

2845. It is arranged that you are to go back?—There is no arrangement; I only presume that I shall go back.

2846. When you ceased actually working for him, was it arranged between you that you were to go back again?—I did not cease actually working for him.

2847. You are not working now for him?—No, because I have been away for some three months.

2848. When you ceased to work for him, or rather at the time when you were last working for him, and before you left Hereford, was anything understood between you about coming back again in his service?—I told him I should go away and get employment, and when trade was good I should come back again.

2849. Upon your oath, was it not that you were to go away and come back again after this petition was disposed of?—He never mentioned a word of the sort.

2850. I never asked you whether he mentioned it, I daresay he did not; but do you mean to say that that was not the reason of your going away?—I do mean to say so.

2851. You mean to swear that?—Yes.

2852. Will you tell me why it it is your wife should be partially maintained in Hereford by Messrs. Bodenham?—The only reason I can assign for that is that if I could get sufficient to keep myself whilst I was away they would do the remainder.

2853. If it was contingent upon that state of things, did you communicate with them whether you could or could not make sufficient?—No.

2854. Were you asked to go away by anyone?—I thought it was better I should go away.

2855. That is not an answer to my question; upon your oath, did not Mr. Frederick Bodenham ask you to go away?—He suggested I had better go away.

2856. At the time that suggestion was made, was anything arranged about the support your wife was to have while you were away?—Yes.

2857. What was arranged?—That she should have 1 *l.* a week.

2858. All the time you were away?—Yes.

2859. Was it arranged how long you were to be away?—No.

2860. Was it arranged that you were to be away until this petition was disposed of?—No, it was not settled.

2861. Take care; do you mean to swear you were not to go away until this petition was settled?—There was nothing definitely settled about it; I might presume so.

2862. Your wife was to receive 1 *l.* a week for how long?—There was no time mentioned.

2863. I did not say there was any time mentioned, it might be until you had given your evidence?—It was left an open question altogether, that was.

2864. We will not leave it an open question; what was said about it?—There was nothing said more than that.

2865. More

2865. More than what?—Till I felt inclined to come home again.

2866. Do you really mean to say Mr. Frederick Bodenham undertook to supply your wife with 1 *l.* a week until you felt inclined to come home?—Something of that sort.

2867. For the term of your natural life, it might be?—Oh, no.

2868. Come, come; do you mean to say that nothing was said about this election petition; do not keep us here all day; was anything said about the election petition?—Yes, there was.

2869. I thought so; what was it?—That there would be a petition.

2870. That we can understand; go on?—No one knew when it would come on.

2871. No, that I can understand; go on?—I was to come back when it was over; will that do for you.

2872. Why did you not tell me that half an hour ago?—I thought you did not want it.

2873. Did you not swear to me, when I first asked you the question, that it was not true you were to go out of the way till the petition was over?—I think not.

2874. Do you remember whether you did swear that?—I think not; but you have asked me so many questions, I cannot recollect.

2875. Is it true, if you did swear it?—Well, it might be.

2876 What did you go to Mr. Deleppe's for?—By appointment.

2877. So you have told us; but what did you go for?—By his request.

2878. That you have told us already; what did you go for?—He wished to see me.

2879. I suppose so; is that the only answer you can give me; have you no notion what you went for?—Yes, I have.

2880. What did you go for?—He wished me to go down there to talk to him.

2881. About what?—He said a gentleman would come there, and would talk to me, and if I felt inclined not to give any evidence against Mr. Baggallay, that this gentleman would give me 50 *l.*

2882. Did you know before you went to Mr. Deleppe's that you were going to see a gentleman who was to offer you 50 *l.* to get out of the way?—I went out of curiosity.

2883. Of course you did not intend to accept the offer if you met such a gentleman there?—Certainly not.

2884. Not for that amount?—No.

2885. Or for any amount, perhaps?—Not for that amount; well, not for any amount.

2886. You are not prepared to say for what amount you would have gone out of the way?—For no amount.

2887. You mean your conscience would not have allowed you?—Well, my conscience is not so elastic as yours, I am afraid.

2888. Never mind mine at the present time; your conscience would not have allowed you?—I do not talk about conscience; I talk about principle.

2889. Who are you working for at Warwick?—Mr. Ball, of Jewry-street.

2890. How long have you been working for him?—Ever since I have been there.

2891. But I do not know how long you have been there?—I told you I had been there three months just now.

2892. What wages do you get there?—It averages from 18 *s.* to 27 *s.* *G. Hedger.* 5 May 1866.

Re-examined by Mr. *Macnamara.*

2893. You have been asked about this Mr. Deleppe; what part did he take in the last election?—I do not know.

2894. Do you know on which side he was?—No, I do not know it positively.

2895. I was going to ask you myself to tell the Committee what did take place when you went to his house on the 1st of February; you have stated what did not take place, now state what did take place?—I told him I would refuse any offer he made, or any offer made by anyone else in his name.

2896. What offer did he make?—He said he would pay me 12 *l.* down on account then if I would accept it, and produce a gentleman who would give me 50 *l.*

2897. What were you to do?—I was to go away, and not give evidence against the Conservatives.

2898. Did you mention what had taken place between you and him to Mr. Bodenham?—Yes.

2899. Was it after that that Mr. Bodenham asked you to leave Hereford for a time?—Yes, it was.

2900. Then did you say anything to him about the expense of going away?—Yes.

2901. Was it upon that that he said he would partially support your wife when you were away?—Yes, it was.

2902. Have you been back to Hereford since you left for Warwick?—Yes, once.

2903. And you told us you have been at work while you have been at Warwick?—Yes, every day.

2904. You told my learned friend that you made the statement which you have made to-day to Mr. Howells, your former employer?—Yes.

2905. And that you say was about November last?—Yes.

2906. Was it at that time taken down in writing?—Yes, but I am not positive about it.

2907. Had you mentioned the matter before that, when it was not taken down in writing?—No; only to Mr. Howells.

2908. Had you mentioned it before that to Mr. Howells?—Only at that time.

2909. Are you clear that what you have now said took place between you and Mr. Deleppe, that that was what took place when you went there on the 1st of February?—Yes.

2910. And you say, with regard to that long statement which was read to you, that nothing of the kind took place?—It is quite a fabrication.

2911. By the *Committee.*] During the 12 weeks you have been working at Warwick you you have been earning from 18 *s.* to 27 *s.* a week?—Yes.

2912. Is not that sufficient to maintain yourself and wife?—Not when we are living in two different places.

2913. What is the average of your wages when you are working at Mr. Howells?—From 1 *l.* to 2 *l.*

2914. That does maintain yourself and wife?—With great economy; we have got a large family.

[Adjourned to Monday, at 11 o'clock.

Monday, 7th May 1866.

ADMIRAL THE HONOURABLE ARTHUR DUNCOMBE, IN THE CHAIR.

The Names of the Members were called over:—All present.

WILLIAM JAMES BAKER, sworn; Examined by Mr. *Macnamara.*

W. J. Baker. 7 May 1866.

2915. ARE you a freeman for the City of Hereford?—I am.

2916. And at the time of the last election, were you a compositor on the "Hereford Times"?—I was.

2917. I believe that is what is called the Whig paper?—Yes, I believe it is.

2918. Do you know William Baylis, the plumber?—Yes, I do.

2919. Of the Commercial road?—Yes.

2920. Do you remember seeing him shortly before the election?—Yes, I do.

2921. Did he say anything to you about the election, and if so, what did he say?—I cannot exactly recollect what he said to me now.

2922. Tell us, according to the best of your recollection, what he said; did you have a conversation about voting?—Oh, I said I had promised Mr. Clifford.

2923. You told him you had promised Colonel Clifford?—Yes, I recollect that.

2924. What did he say to that?—What did he say?

2925. Yes; what did he say, if anything, when you told him you had promised Colonel Clifford?—"Do not be too fast with the other vote;" I think those are the words; I cannot be positive.

2926. What further passed; what else did he say, if anything?—"And say nothing to nobody;" I think those were as near the words as possible.

2927. Was the "Hereford Journal mentioned"?—No, not by Mr. Baylis.

2928. Did you mention it to him?—No.

2929. Was anything said about money?—He said, "If you like to have some money (he says), but I know you will not take it;" he said, "Would you like to have some money to take a glass or two?" I said, "No," and he said "I know you will not take money."

2930. Go on, and tell us any further part of the conversation that you recollect?—None that I know of; I cannot recollect anything further said between him and me.

2931. Did you have any other conversation with Baylis shortly before the election?—No; that is all the conversation I had with him, to the best of my knowledge at, the present time.

2932. I believe you made a statement with regard to this interview to Mr. Jay, did you not?—Not respecting Mr. Baylis; yes, excuse me, I said Baylis offered me some money, and said, "I know you will not take it," and that is all the conversation I had with Mr. Jay about Baylis; that transpired between Mr. Jay and me, and that is the only conversation.

2933. Is your recollection clear upon that?—Yes.

Cross-examined by Mr. *Cooke.*

2934. You are now in the employ of the "Hereford Times" newspaper?—Yes.

2935. Mr. Anthony, who is one of the town councillors and an alderman?—I believe he is.

2936. You know he is, do you not?—Yes, I know he is.

2937. You are the man who lives in Bath-street?—Yes, I reside in Bath-street.

2938. You are a freeman?—Yes.

2939. Mr. Jay also is one of the town council?—Yes.

2940. And a city justice?—I believe he is.

2941. You say you believe he is; you know he is, do you not?—Yes.

2942. And so is Mr. Alderman Abbey, who is a petitioner?—Yes.

2943. And Mr. Warburton, who is also one of the petitioners, is coroner, is he not?—Yes.

2944. He is coroner for the city?—Yes.

2945. And Mr. Carless, one of the petitioners, was mayor the other day, was he not?—Yes, he was.

2946. There are a good many men belonging to the "Hereford Times" who have votes, are there not?—Yes, but I do not know how many.

2947. Is it not a rule that all of you on the "Hereford Times" must vote for Liberal candidates whether you like it or not?—There is no "must" at all about it.

2948. But you are all required to do it, are you not?—No, you may do as you like.

2949. You may do as you like, but you must go if you do not vote for the Liberal candidates?—No, I never had that put to me.

2950. You had formerly, before you went to the "Hereford Times" voted for the Conservatives, had you not?—I had done so.

2951. How long have you been on the "Hereford Times"?—Seven years turned, or about seven.

2952. Are you not all required to qualify as voters; all that are upon the "Hereford Times"?—I am not aware of that.

[The Witness withdrew.

THOMAS

THOMAS KILLICK, sworn; Examined by Mr. *Macnamara*.

T. Killick.

7 May 1866.

2953. ARE you a Miller at Hereford?—Yes.

2954. And I believe you have a vote for the city as a householder; is that so?—Yes.

2955. Do you know John Griffiths, the blacksmith of Newmarket-street, Hereford?—Yes.

2956. Do you remember some time before the last election his coming to your house?—Yes.

2957. About how long before the election was that?—The Sunday week before the election, about 11 days before the election.

2958. What did he say to you?—He asked me which way I was about to vote.

2959. What did you say?—I told him I did not know; that it was according to how I might be situated.

2960. What did he say to that?—He said, "In what way," and I said "In respect to my employment."

2961. Go on?—He then said he could do as well by me as any one, and that 5 *l.* would do me as much good as any one else.

2962. What did you say to that?—I told him I could not give him a promise; I therefore promised him I would see him again.

2963. And did you after that go to his house?—Yes.

2964. About how long before the election was that?—Four days before the election; I went that Sunday morning week.

2965. Did you go with him into his garden?—Yes, I did.

2966. When you got there did he say anything to you?—Not respecting the election.

2967. Did you have any conversation anywhere respecting the election?—Yes, after we came up Widemarsh-street; he there asked me if I had made up my mind.

2968. By the *Committee.*] That was the Sunday before the election?—Yes.

2969. Mr. *Macnamara.*] What did you say?—I told him I had not.

2970. What did he say then?—He said he heard the other parties was doing it strongly, and they intended to double it.

2971. When he said "they" did he say "we," or how was it said?—I think he said "they."

2972. When he said that, what further did he say, if anything, to you?—He then said I could have 5 *l.* then and 5 *l.* on the morning of voting.

2973. What did you say to that?—I told him I could not give him my word.

5974. And I believe you were to see him again?—I promised to see him before I gave it to any one else.

2975. On the evening before the election did you meet a man of the name of Yapp?—No, on the Monday evening, the next day to the Sunday, I met a person of the name of Yapp in the New-road.

2976. In consequence of what he said, did you go anywhere?—Yes.

2977. Where did you go to?—I went to a public house at the corner of Cattle Market-street.

2978. What is the name of that public-house?—The "Wellington Inn."

2979. When you got there did you see anyone that you knew; if so, who did you see?—I went right through the passage and saw Mr. Griffiths.

2980. Did you go anywhere with him?—He came with me up the passage, and we went into the front room called the "smoke room."

2981. What did he say to you there?—He asked me if I had made up my mind, and I said yes, I had.

2982. Go on?—"To vote for Baggallay," he said; and I said, "Yes."

2983. And when you said that, what took place?—He then got up, put his hand in his pocket, and placed out ten half sovereigns on the window place.

2984. What did you do?—I directly got up and picked it up, and put it in my own pocket.

2985. What further passed between you then?—He asked me to appear early on Thursday morning.

2986. That was the polling day?—The morning of the election, and I promised him I would. I was to see him at the "Old Harp Inn" in Widemarsh-street.

2987. And on the morning of the election did you go to the "Old Harp"?—Yes.

2988. Did you see Mr. Griffiths?—Yes, I saw Mr. Griffiths in the passage.

2989. What did he say to you?—"Come this way."

2990. Where did you go?—Up two flights of stairs opposite the club room.

2991. When you got up there what took place?—He walked towards the window and I stayed on the top of the stairs, and he there placed five sovereigns in the window.

2992. What did he then do?—He then beckoned to me this way, to walk towards the window; I did so, picked it up, and put it in my pocket.

2993. After you had done that did he say anything to you?—We came down stairs together, and he asked me to get into a fly and go and poll.

2994. And did you get into the fly?—Yes.

2995. And where did you go to first from the "Old Harp"?—We stayed at the corner of the cattle market, the "Wellington;" some one requested the fly, and then the fly was requested for some other purpose; we was asked to get out and go in the bus, as the bus was going straight to the poll.

2996. And you went straight to the polling place?—Yes.

2997. For whom did you vote?—For Mr. Baggallay.

Cross-examined by Mr. *Cooke.*

2998. That was quite early in the morning?—Yes.

2999. Before nine?—No, not before nine.

3000. I thought you said you went quite early that morning?—I was requested to be early, and I was as early as required.

3001. What time were you at the "Harp" in the morning?—I could not say positively the time.

3002. But give us a notion, a July morning; did you go from your own house there?—Yes.

3003. The first thing?—Yes.

3004. Were you there before eight o'clock or after

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after eight?—I was not there until nine and turned, I think.

3005. And how long were you there before you got into the omnibus; ten minutes?—Not more than ten minutes.

3006. Then you had polled before 10 o'clock; is that it?—I could not say positively.

3007. From where the "Wellington" is to the polling booth, it cannot be many hundred yards?—No.

3008. Then you went straight from the "Old Harp," first in a fly, and then in an omnibus up to the polling booth?—I am not positive as to the time of starting from the "Old Harp."

3009. How long were you at the "Old Harp," if you ever were there?—Not more than a quarter of an hour.

3010. What time you ever got there (if you ever were there); put any time you like, and let me know some time; you were told to go early; did you go early?—Yes, I went moderately early.

3011. Tell me what you mean by "moderately early;" come, I suppose you have not been asked about that; do you hesitate. What time will you swear you were at the "Old Harp" that morning, if you were there at all; come, you have got the rest of your lesson up very perfectly, why cannot you give me that?—I was there at 10 o'clock.

3012. You went to the "Harp" at 10 o'clock; is that what you mean to swear, that you went to the "Harp" at 10 o'clock?—(*No answer.*)

3013. I am obliged to ask you these questions, because I am going to call Griffiths; do you swear it was 10 o'oclock; as late as 10 when you went to the "Harp"; you were very free in giving your answers before now; why do you keep me all this time if you are the witness of truth?—Nine o'clock.

3014. Nine o'clock now?—Yes.

3015. Will you swear nine now?—Yes.

3016. You will swear to nine?—Yes, positively.

3017. What made you say 10; you got to the "Old Harp" at nine, and were there 10 minutes altogether; is that what you mean to swear; and then you got into the fly, then into the omnibus, and then to the poll; is that the story you mean to tell us?—No, it was 10 o'clock, but being puzzled, I certainly told an untruth in respect to the statement of the time; it was 10 o'clock in the morning, not nine.

3018. I do not think I have puzzled you. Do you swear now it was 10 o'clock when you went to the "Old Harp"; is that what I understand you to swear?—(*No answer.*)

3019. Come?—Yes, 10 o'clock.

3020. Are you going to stick to 10, or are you going to change again before I put another question; are you going to swear it was 10 o'clock?—Yes.

3021. What do you mean by "Yes"?—Ten o'clock.

3022. What was 10 o'clock?—When I went to the "Old Harp."

3023. Where had you been all the morning before 10 o'clock, that makes you recollect now that it was 10 o'clock?—I was in my own garden.

3024. Up to 10 o'clock?—Up to the time I started to come.

3025. How far do you live from the "Old Harp"?—Three quarters of a mile, I should think

3026. Then you did know it was 10 o'clock when I asked you first?—No.

3027. What makes you say now it was 10 o'clock then; what is there that enabled you to fix 10 o'clock, having been told to come early, and you say you came moderately early; what is the reason you now swear it was 10 o'clock?—Because I perfectly remember it was 10 o'clock.

3028. Why did you not tell me so when I first asked you?—Because I was a little puzzled, and was not certain; I am certain now.

3029. What made you say it was nine then, if you are quite certain now that it was 10?—I was thinking of another election as happened on the 1st of November.

3030. The municipal election?—Yes.

3031. You were thinking of the municipal election?—That was an occurrence at nine o'clock.

3032. Where were you at nine o'clock, at the municipal election?—At another place, and not there.

3033. You mean the election on the 1st of November?—Yes.

3034. Where was the place where you were at nine o'clock in the morning at the municipal election; what is the name of the place?—I breakfasted at the "Old Harp Inn" that morning.

3035. That is evading the question; where were you at the municipal election at nine in the morning?—At the "Old Harp Inn" in Widemarsh-street.

3036. In the same place as that to which you went at 10 o'clock on the polling day?—Yes.

3037. I thought you told me just now, that it was at another place?—It was another place at another time; not that time.

3038. Which time?—Not the last November election, but the one before.

3039. How many years ago; are you thinking of the November election before; 12 months?—Two years before.

3040. Was that the great time of Bosley's election; is it the great fight of Bosley that you are speaking of?—Yes.

3041. Where was it that you were at nine o'clock on that memorable morning when they carried Bosley?—I do not remember their carrying Bosley about.

3042. I do not mean carrying him about, but winning with him; where were you on that memorable morning that is uppermost in your mind now; where were you at nine o'clock on that memorable November morning of Bosley's election?—I do not remember.

3043. Just now you swore that you fixed nine o'clock, because you remembered being somewhere on the morning of the municipal election?—The morning of the election of Mr. Bosley, I was at the "Old Harp Inn," at breakfast.

3044. Is that the place you referred to just now when you said it was November two years, when at nine o'clock you were at another place; do not trifle with us; where is the other place that you swore you were thinking of when you said nine o'clock?—I do not remember any other place; that was at another time.

3045. Do you mean now to swear you were at the "Old Harp" both times?—I was at the "Old Harp" at breakfast that election.

3046. The municipal election?—Yes.

3047. I thought you said it was another place you were thinking of?—No.

3048. Which Yapp is it you are talking of; there

there are a good many persons of that name in Hereford; which is the Yapp you refer to?—A shoemaker.

3049. Where does he live?—Right opposite where I live.

3050. As I understand, both times Griffiths put the money on the window?—Yes, both times.

3051. Who were you working for at the time of the last election?—Mr. Thomas Flewitt.

3052. The manager of a company there?—Yes.

3053. Who are you working for now?—Mr. Thomas Flewitt.

3054. When did they get hold of you as a witness on this petition?—Some two months since, I think.

3055. It is a manure company that Mr. Flewitt belongs to?—Yes.

3056. Of which Mr. Jay is the attorney?—Yes, he is.

3057. And Mr. Bosley is one of the directors?—Mr. Bosley is one of the directors.

3058. And Mr. Bodenham is the chairman?—I do not know that.

3059. He is one of the managers; do you not know that?—No, I did not know that.

3060. Do you swear you do not know that Mr. Bodenham is one of your masters?—I do not know it.

3061. Are you prepared to say he is not?—No, I could not swear that.

3062. When did anybody speak to you first about your evidence in this matter; who was it who got hold of you?—It is more than two months since.

3063. Who was the man; who was it; do not hang fire in that way; give us an answer at once?—It was a person belonging to Mr. Bodenham's party.

3064. We all know it is Mr. Bodenham's petition; we know it is his party: tell us who it was; of course we know it is Bodenham; everything is Bodenham; tell us who is the man?—Mr. William Lewis.

3065. Who is Mr. William Lewis of Bodenham's party; what is he?—He is a clerk to the Hereford Steam Corn Mill Company.

3066. Well, two months ago Mr. Lewis came to you; did he take you to anybody then?—He asked me respecting the affair, and I told him the truth.

3067. Do you mean by "the affair" the election?—Yes.

3068. Did he take you to Mr. Bodenham's, or when did you get there?—I went down there with him.

3069. To Bodenham & James's office?—Not to the office.

3070. Where to?—To his residence.

3071. To Mr. Frederick Bodenham's office?—No, not to his office at all; to his residence.

3072. To his private house?—Yes.

3073. Two months ago?—Yes, I should say as near as can be.

3074. Did you tell him about the municipal election, and where you were at nine o'clock in the morning?—No.

3075. You were not asked any question about what time in the morning you were at the "Old Harp"?—No.

3076. I thought he had not asked you that question; was your evidence then written down?—Mr. Bodenham took a note of it.

3077. Were you told what you would have for your evidence?—Yes; I told the truth.

3078. But were you told what money you were to have?—I do not understand you.

3079. You do not understand what I mean; do you mean to swear that you did not understand my question?—I was not told anything respecting the affair.

3080. Had you any money given to you?—No.

3081. What "affair" were you not told respecting?—You ask if I was to have any money respecting the affair of me giving my evidence of bribery; I never received a copper.

3082. Were you told what you would have; come?—No.

3083. Not anything?—No.

3084. What makes you hesitate about it; were you told that if you gave proper evidence you would be considered?—No.

3085. Do you swear that you were told nothing of the sort?—I never had anything.

3086. I do not ask you that; my question is, were you not told that you would have something if you gave proper evidence?—No, I was not told that.

3087. Do you not expect anything?—No, I do not.

3088. Not anything?—Not in addition to my ordinary expenses.

3089. What do you call your ordinary expenses; come?—I do not know what the rest are getting.

3090. Do you mean to swear that you have turned round to tell this against John Griffiths, the blacksmith, who gave you 10*l.*, and that you expect to get nothing for it?—I do; I never was promised anything.

3091. And you do not expect anything?—No.

3092. Were you not told by Lewis that you would get anything?—No.

3093. Nor by anybody?—Nor by anybody.

3094. I want to know what time of the day it was when you will swear John Griffiths was at your house on the Sunday week before the poll?—In the evening about five, I believe.

3095. And where was it that he said he would double it?—That was opposite the "Wellington Inn," right opposite the cattle market at the top of Widemarsh-street.

3096. Mr. Baggallay was the popular candidate, was he not, with the working people there?—I do not know how that was.

3097. You say you did not promise the other side?—I did not promise, but I did not know how I might be situated.

3098. Were you at the nomination?—No.

3099. When you said you had not made up your mind how you should vote, were you waiting for that bribe?—No, I was only waiting to see how I might be situated in my employment.

3100. Did you ask anybody in whose employment you were, how you were to vote?—No, not a word; I was quite independent.

3101. Had you made up your mind to vote for Mr. Baggallay?—No.

3102. Nor for anybody?—No.

3103. Had you been canvassed for Clifford and Clive?—Yes.

3104. Who by?—I do not know who the parties were. I was not at home at the time.

3105. Then you saw nobody on the other side, and you never promised the other side?—No, I did not see them myself.

3106. And you never promised the other side?—No, I did not.

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3107. Had you supported the Conservative party in their town council fights?—Once, I did.

3108. Against Bosley or for him?—Once against him and once for him; it was just as I was situated.

3109. How was it the last time; were you for Bosley or against him?—For Bosley.

3110. That was when a great deal of money went about, was it not?—I did not see any of it.

3111. Bosley's last election was a great contest, was it not?—I did not see any of it.

3112. At all events, you went for Bosley then?—Yes.

3113. Do you know Mr. Nathaniel Derry Morris?—No, I do not.

Re-examined by Mr. *Macnamara.*

3114. Whatever might be the precise hour, are you sure you were at the "Old Harp" on the morning of the election?—Yes, I am sure I was there.

3115. Had you mentioned what had taken place between you and Griffiths before you told Mr. William Lewis of it?—No, never.

3116. Was William Lewis the first person you told of it?—Yes.

[The Witness withdrew.

JAMES MORGAN, sworn; Examined by Mr. *Pritchard.*

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3117. ARE you a hatter?—Yes.

3118. In Hereford?—Yes.

3119. Did you vote at the last election there?—Yes.

3120. As a householder?—Yes.

3121. Do you remember in the afternoon of the day before the election day anybody coming to you?—Yes.

3122. Was that Phillip Lane, the assistant overseer?—Yes.

3123. At what time was it that he came to you?—Between two and four in the afternoon.

3124. Was that on the nomination day, or the day before?—It was the day before the election.

3125. The day before the polling?—Yes.

3126. You say Phillip Lane, the assistant overseer, came to you between two and four o'clock?—Yes.

3127. Was that when you were in your shop?—Yes.

3128. Did you have any conversation with him?—Yes.

3129. What did he say?—He said, in the first place, "I am come to see you, and I am well aware that money would be of some service to you now at present. If you think proper (he says) to take 15 *l.* or 20 *l.*, if you will come down to the 'Old Harp' you shall have it."

3130. Did he say what that was to be for?—If I would vote his way.

3131. Which way was that?—For the Tory party, for Mr. Baggallay.

3132. What did you say to that?—I told him I had always voted the other way, and had promised my vote to Mr. Clifford, and I should not go near them.

3133. What did he say to that?—He went off at that.

3134. Do you know Mr. Joseph Hancock Evans?—Yes.

3135. Is he an architect in Hereford?—Yes.

3136. On that same evening did you see him?—Yes.

3137. And had you some conversation with him?—Yes.

3138. Was that in your shop?—Yes.

3139. At what time?—That was about an hour after Lane had left, I think.

3140. What did he say?—He told me that they could not afford to give 15 *l.*, but would give me 10 *l.* if I thought proper to go and fetch it to the "Old Harp." I was to go down there to receive it.

3141. Did he say why he could not afford to give it?—He did not say. He did not mention any particular name.

3142. What did you say to that?—I told him I should have nothing at all to do with it, and he came back a second time after that.

3143. Did any conversation take place then?—Yes; he told me to go and vote in the morning, and then go to the "Old Harp," and I should then have the 10 *l.* I told him to go about his business; that I would have nothing more to do with him.

3144. Did he go about his business?—Yes.

3145. Did he say where he was going to?—No, he did not.

3146. Did you see him again at all?—No, I did not see him after that.

3147. Did you vote?—Yes.

3148. How did you vote?—I voted for Clive and Clifford.

Cross-examined by Mr. *Giffard.*

3149. At what time did you vote?—Between 9 and 10 in the morning.

3150. How were you engaged the day of the election after you had voted yourself?—I was engaged myself at home a little, and running about. I was at home in my own business a little while.

3151. What did you do the rest of the day?—They was not doing much business.

3152. I did not ask you that. What were you doing?—Running about.

3153. Where were you running about?—I was doing all I could in favour of my own party.

3154. That is just why I ask you where you were running about?—About the town, from one place to another.

3155. Did you go to any committee room?—I was down to the committee room.

3156. What committee room?—The committee room down in Eign-street, where I live.

3157. But we do not know where that is?—In Eign-street, Hereford.

3158. Who was there?—I cannot tell; there was a great number of people there.

3159. I dare say you saw Mr. Frederick Bodenham there?—Yes.

3160. Anybody else?—I cannot tell who was there.

3161. Did you see Mr. Jennings, the saddler, there?—Yes.

3162. Did you see Mr. Ted Wigley, who works at the sheds, there?—I do not know him by name.

3163. Did

3163. Did you see any of the Wigleys there?—I do not know that any of the Wigleys work at the sheds.

3164. I did not ask you that; just answer the question I ask you; did you see any of the Wigleys there?—I might have seen them; I do not know them by name.

3165. Did you see anybody of the name of Wigley there?—I do not recollect that I did.

3166. Do you swear you do not know any person in Hereford named Wigley?—I know several.

3167. Did you see any of those persons who you know by the name of Wigley there?—I do not recollect that I did.

3168. Will you swear you did not?—I could not swear it, but I do not recollect who was there.

3169. Will you swear you did not see them there?—I could not swear that.

3170. Will you swear that no one person named Wigley, was there?—There is a Mr. John Wigley.

3171. That is no answer to my question; you say you do not recollect having seen any person named Wigley, there?—I do not.

3172. Are you able to say, positively, that there was no person of the name of Wigley, that you knew there?—There may have been, but I was in and out.

3173. You will not swear there was not?—I cannot swear there was not, and I cannot swear there was.

3174. Do you know Mr. Sydney Myer?—Yes.

3175. Was he there?—I believe I saw him in there.

3176. Do you know Mr. Davies, the builder?—Yes, very well.

3177. Was he there?—Not that I recollect.

3178. Will you swear you did not see him there that day?—There are two or three Davies in Hereford.

3179. Did you see Davies, the builder, there that day?—He may have been there, but I do not recollect it.

3180. Do you know Mr. Thomas Davies, the builder?—Yes.

3181. A gentleman who has retired from business, I understand?—Yes.

3182. Did you see him there?—No, I did not.

3183. Did you see Mr. Charles Davies there?—I do not know any one of the name of Charles Davies.

3184. Did you see Mr. Meredith there?—What Meredith?

3185. Mr. Meredith, who is at the Barr's Court station?—I do not know him by name, if he was there.

3186. Do you know anybody of the name of Meredith?—Not in Hereford, that I am aware of.

3187. As to these gentlemen who you have told me you did see there, what were they doing?—I cannot tell; I did not go inside the room.

3188. The window was facing the street, was it not?—Yes.

3189. You were able to see without going into the room, otherwise you could not have seen them in the room?—It was a void house, and it has two compartments, the front shop and a back place; I did not go into the back place.

3190. It was taken for the purposes of the election as a committee room?—Yes; I believe it was.

3191. Did you see any of these gentlemen you have described, doing anything at this void house?—They were sat round a table.

3192. Had they poll books before them?—Yes, I believe so. *J. Morgan.* 7 May 1866.

3193. Were there flys at the door?—There was flys at the door.

3194. Perhaps you can tell me whether you saw Mr. Bosley there himself?—No; I do not recollect that I did.

3195. I suppose these gentlemen were receiving notes and giving directions, and so on?—Yes.

3196. What were you doing; you were doing all you could to assist, you say?—Yes.

3197. How often were you there, during that day?—I was there for three or four hours.

3198. What were you doing?—I was running about for them.

3199. I suppose your running had some object, it was not to run a race?—I used all the interest I had in my power.

3200. Canvassing voters for Clive and Clifford?—No; I do not believe I asked one.

3201. What do you mean by "using all the influence in your power"?—After I had voted, I run about as a messenger.

3202. Is that what you meant, when you said you used all the influence in your power?—Yes.

3203. You mean to swear that?—I do.

3204. Were you paid?—No.

3205. Where did you run; what did you do?—I merely went three or four errands with notes.

3206. But you were there four hours?—Yes.

3207. What were you doing?—I was walking about for them.

3208. First you were running, and then you were walking; did you go and fetch voters to the poll?—No.

3209. Now, tell me what you did do?—I took a note to several places to ask them to come.

3210. You did not fetch them?—No.

3211. Where did you get the notes from?—From the committee room.

3212. But from whom did you get them?—I do not know who brought them out to me.

3213. Then when a note was given to you to take out, it was ready directed?—Yes.

3214. Did you know what was in it?—No.

3215. This void house, we understand, is about two doors from the "Maidenhead" inn?—Yes.

3216. That was one of the Clive and Clifford houses, too, was it not?—Yes, I believe it was.

3217. Have you any doubt about it?—No, not the least.

3218. Then, why do you say you believe it was; were you at a meeting at the "Green Dragon"?—No.

3219. Not at any time before the election?—No.

3220. Were you at the nomination?—No, I was not at the nomination.

3221. Do you know a Mr. Nathaniel Derry Morris?—Yes.

3222. He is a very active man, is he not—I do not know much about him.

3223. Is he not a very active man?—I am sure I cannot tell; he is a man I never spoke to.

3224. How long have you lived in Hereford?—All my life.

3225. Do you swear you do not know that he is a very active electioneering man on your own side in politics?—I do not know anything at all about it.

3226. Will you swear you do not know whether Mr. Nathaniel Derry Morris is an active electioneering man on your side in politics, or not?—No, I do not; he is a gentleman I never spoke to, that I am aware of.

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3227. Did you ask Mr. Evans for 14 *l.*?—No.

3228. Do you swear you did not mention the sum of 14 *l.* to Mr. Evans?—No, I never mentioned it to him.

3229. Or any other sum?—No.

3230. Had you known Mr. Evans before?—I had known him for several years.

3231. Now, I must put to you the words before I call Mr. Evans to contradict you; do you swear that you did not say you would vote for Mr. Baggallay if you had 14 *l.*?—Never.

3232. Or any words to that effect?—I never said so.

3233. Or any words to that effect?—No, I never said anything of the sort.

3234. Did not Mr. Evans say that he would not give you 14 *d.*?—No, he did not say anything of the sort; he told me to go and vote, and then to go to the "Old Harp"; and I told him to go about his business.

3235. Did he say that he would not give you 14 *d.*?—No.

3236. Or any words to that effect?—Not a word of it.

3237. You say you have known Evans for some years; he must have known that you were always on the Liberal side?—I have known him several years, but I do not know what party he was of.

3238. But you were always on the same side, were you not?—Yes.

3239. You were rather strong on that side, were you not?—No, not particularly.

3240. Do you not know perfectly well that Evans knew on which side in politics you were?—He may, but I never spoke to him, that I know of, before.

3241. When you say you had known him for some years, you mean that you knew him by sight and by name?—Yes.

Re-examined by Mr. *Macnamara.*

3242. With regard to this room in Eign-street, I understand you to say it was on the polling day that you went there after you had voted?—Yes.

3243. Were there many persons going in and out of that room on that day?—Yes.

3244. A great many?—Yes.

3245. I believe you have already said that you did not go yourself inside the room?—No.

3246. You have told us that you saw Mr. Bodenham there?—Yes.

3247. Was Mr. Bodenham sitting at a table?—No; I do not believe he was.

3248. Did you see his two clerks there?—I do not know his clerks.

3249. Do you know whether voters' tickets were given out there; I mean, tickets for the polling?—I never saw any.

3250. Can you tell who it was that you saw sitting down inside that room; can you call to mind the persons you saw sitting down there?—No, indeed I cannot.

3251. You cannot call to mind the names of the persons you saw sitting down?—No.

3252. Can you tell the Committee the names of the persons you saw giving directions?—No.

3253. Because you have answered my friend generally; he asked you whether they were giving directions, and you said, Yes; can you mention who it was that was giving directions?—No, I was not inside the room; I did not hear who gave directions; the notes were brought out to me, and I delivered them where I was sent to.

3254. Was that all that you had to do, so far as that room was concerned?—That was all I had to do.

3255. You have said that you believe you saw Mr. Sydney Myer there?—Yes, I believe I did.

3256. Did you see Mr. Jennings there; or, are you sure you saw Mr. Jennings?—I am sure I saw him.

3257. And you believe you saw Mr. Sydney Myer?—Yes.

3258. But you yourself did not go inside the room?—No.

[The Witness withdrew.

William Skipp, sworn; Examined by Mr. *Macnamara.*

W. Skipp.

3259. You are a labourer in Hereford?—Yes.

3260. And I believe you are a voter for the city, as a householder?—Yes.

3261. You were canvassed, I believe, for Messrs. Clifford and Clive?—Yes.

3262. Do you remember, after you had been canvassed for them, a man named Josiah Raisbick coming to you?—Yes.

3263. Is Josiah Raisbick a voter for the city?—I cannot tell.

3264. Do you know what he is?—No.

3265. Do you know what he was doing at the time of the election, or for whom he was acting?—No, I know nothing about him.

3266. About how long before the election was it when he came to your house?—It might be a week, or it might be seven or eight days, I could not say exactly.

3267. What did he say to you?—He asked me to give Mr. Baggallay my vote.

3268. What did you say when he asked you that?—I said I did not know yet. I said, "I do not know what to say about it."

3269. What did he say to that?—"Well," he says, "there is 10 *l.* for you," he says.

3270. Go on, and tell us all he said?—"Well," I says, "I will, sir," I says.

3271. "I will," what?—Give him my vote.

3272. Did he say what the 10 *l.* was for?—No.

3273. Did anything else take place between you then?—No.

3274. He did not give you the 10 *l.* then, did he?—No.

3275. Soon after that, do you remember meeting a man of the name of Ashmore?—Yes.

3276. After you had seen Ashmore, did you go to anyone's house?—Yes.

3277. To whose house did you go?—Mr. William Baylis'.

3278. Is that Mr. William Baylis, the plumber?—Yes.

3279. About how long before the election was that?—Well, it might be about eight or nine days; I could not exactly say.

3280. Did you see Mr. Baylis?—Yes.

3281. State, if you please, what passed between you and Mr. Baylis on that occasion?—Well, sir, he said, there was 10 *l.* for me, and I was to have

have five then; he said there was 10 *l.* for my vote, and I was to have 5 *l.* then and 5 *l.* on the morning of the polling.

3282. What did you say to that?—"Very well," I said.

3283. Did you receive anything then?—£. 5.

3284. Did you go again to his house, after that?—No; I cannot tell whether I did or no.

3285. Did you see him after that?—I see him the day the polling was.

3286. Where was it that you saw him?—At the "Wellington."

3287. What part of the Wellington did you go into?—Well, I went up stairs, into a little room.

3288. Who was there when you went there?—I cannot tell you, I am sure, besides me and Mr. Baylis.

3289. What took place between you there, in the little room?—Well, sir, I went into the little room and had the other 5 *l.*

3290. And what did you then do?—I came out.

3291. And did you go and vote?—Yes.

3292. For whom?—I went to vote before I had the last 5 *l.*

3293. Who did you vote for?—Mr. Baggallay.

3294. You voted before you had the second sum of 5 *l.*?—Yes, certainly.

Cross-examined by Mr. *Cooke.*

3295. At what time in the morning did you vote?—Well, it might be about 12 o'clock; I cannot tell to half-an-hour.

3296. Was it as late as 12?—Well, I think it was.

3297. Where had you been all the morning?—At home, the biggest part of the morning.

3298. Did you walk up from home, to the polling-booth, before you went to the "Wellington"?—I did, when I came to poll.

3299. You say you went to Baylis's house?—Yes.

3300. Eight days before the poll?—About eight or nine days; I cannot tell exactly, as I told the other gentleman.

3301. You have mentioned a man named Ashmore, do you not know that he is one of Clive and Clifford's people, and that he voted for them?—I know nothing about that. I know the man.

3302. What is he?—He works in the shops where I have been working.

3303. Do you not know that he is one of the other party, and that he voted for Clifford and Clive?—He might; I know nothing about the man.

3304. Did you see anybody at Baylis's house, except Baylis himself?—His daughters.

3305. One or two?—I think there were two, but I could not say that. I think there were two.

3306. Then you can tell me, in what part of the house it was that you were paid the money?—In the kitchen, I think it was.

3307. At all events, there was one of his daughters there?—Yes; I suppose it was his daughters; I cannot say no other.

3308. Your belief is, that they were his daughters?—Yes.

3309. What time of the day was this?—When?

3310. When you went into the kitchen, and got the 5 *l.* at Baylis's?—I think it was about one o'clock, to the best of my recollection.

W. Shipp.

7 May 1866.

3311. You do not get 5 *l.* in a man's kitchen every day, you know?—No; I cannot exactly tell the time.

3312. But you believe it was about one o'clock?—Yes, I believe so.

3313. Did you go there at one o'clock of your own head?—I did not get the money when Mr. Ashmore told me.

3314. Did you go of your own accord at one o'clock?—Yes.

3315. Did Mr. Baylis give you the money at once?—Yes.

3316. Without any question asked?—I believe he did.

3317. Do you swear that, when you went into the kitchen, he at once said, "Here is 10 *l.* for you; 5 *l.* now, and you shall have another 5 *l.* on the morning of the poll"; do you swear that he said that as soon as he saw you?—That is what he gave me.

3318. Is that what happened when you got into the kitchen?—He told me what he would give me.

3319. Had you ever spoken to Baylis before?—Yes.

3320. When?—Sometime before; a few days; and he told me to come on such a day.

3321. He had told you to come?—Yes.

3322. Then it was not Ashmore, but Baylis who told you to go there?—Yes; but it was Ashmore who told me in the first place to go to Baylis.

3323. On this particular day did you go by Baylis's instructions?—Yes; I went for the money when he told me.

3324. Tell me when it was that Baylis told you to go to his house?—He told me to come on such a day, and I should have the money.

3325. Were there one or two young women in the kitchen when you got the money?—There was one or two; I could not say which.

3326. You know Baylis's daughters very well, do you not?—No; I do not know, to be sure.

3327. What made you say they were his daughters?—I thought they must be his daughters.

3328. How long were you there?—Not long; it might be about 10 minutes.

3329. Was the money counted down to you?—Yes.

3330. In sovereigns?—Yes.

3331. In the presence of these young women?—No, I do not say that.

3332. You said you were there only a few minutes, and that these young women were there?—They was about the house; I do not say they saw it.

3333. Did they see you there?—Yes.

3334. That will do for me, because I am told I can call those young women. What time did you get to the "Wellington" when you say you got the other 5 *l.*?—It might be between twelve and one, or one o'clock; I cannot say exactly.

3335. After voting?—Yes.

3336. You have been in Hereford all your life?—No.

3337. How many years have you been in Hereford?—I think 11 years, or somewhere thereabouts.

3338. Tell me anybody who you will swear you saw at the "Wellington," except Baylis?—I do not know who I saw there.

W. Skipp.
7 May 1866.

3339. Name anybody, except William Baylis, that you will undertake to say you saw at the "Wellington Inn"; name anyone that I can call or send for?—I saw Mr. Smith.

3340. What Mr. Smith; I suppose there are a good many Mr. Smiths at Hereford as well as in other places?—He keeps a public-house; Mr. Henry Smith.

3341. What public-house does he keep?—I would not say what the name is.

3342. Where is it; where can we find it?—He lives in the Bovine, Eign-street.

3343. Where do you swear you saw him?—At the "Wellington."

3344. Whereabouts?—In the "Wellington."

3345. Whereabouts in the "Wellington" will you swear he was between twelve and one o'clock on the polling day?—I saw him there in the house.

3346. In what room?—In the kitchen.

3347. Up stairs, or down?—Up stairs and down.

3348. He could not have a kitchen both up stairs and down?—I saw him down stairs and up.

3349. Where did you see him up stairs?—Up by a little room where I went for the money.

3350. In a large room?—No, a little room, where I went for the money.

3351. Where did you see Mr. Smith?—In the room up stairs.

3352. In what room; was it next to the little room?—Yes.

3353. Were other people there, or was Smith there by himself?—There was a good many there that I did not know.

3354. Was there anybody there who you did not know, except Henry Smith?—No, not that I can recollect.

3355. You have been to Mr. Jay's, have you not, a good many times on this matter; you have been to Mr. Jay's office?—Yes; I have been to Mr. Jay about business of my own.

3356. I am asking you about this election and this Committee?—Yes; I have been at Mr. Jay's.

3357. Have you not been at Mr. Jay's about your evidence several times?—Yes, I have; I have been there.

3358. And has he been at your house?—Not that I saw.

3359. Has he had your wife up as well as you?—I believe he has.

3360. You believe; do you not know that he has?—Yes.

3361. When did Mr. Jay first have you to his office about this election?—I could not say.

3362. Two or three months ago?—Yes; I could not tell exactly.

3363. He had your wife there after you?—She was there first.

3364. Did you tell him for some time that you never had a penny?—I did; I never told him what I had.

3365. Did you tell him that you never had any money?—Yes, I did.

3366. And do you know from your wife that she told him the same?—Yes.

3367. When were you first told to say that you had had money, so as to fix it on Mr. Baylis?—I told Mr. Bodenham.

3368. Mr. Frederick Bodenham?—Yes.

3369. When did you first tell Mr. Frederick Bodenham the tale you have told here to-day?—Well, I cannot tell exactly.

3370. About how long ago, a week?—Two months ago, I dare say.

3371. Will you swear that it is two months since you told Mr. Frederick Bodenham this tale?—Yes.

3372. Where were you and Mr. Frederick Bodenham when you told him; was it at his house?—At his house.

3373. He had you to his house?—He sent for me.

3374. That seems to be the Bodenham plan, sending for people to the house; had your wife been there?—No.

3375. Who took you to Mr. Frederick Bodenham's?—I went myself.

3376. On being sent for?—Yes.

3377. Did you tell Mr. Frederick Bodenham that you had told Mr. Jay that you never had a penny?—I do not know; I could not swear that I did tell him that.

3378. Did Mr. Frederick Bodenham understand that you had been telling Mr. Jay that you had never had any money, and did he say that he knew you had?—I told Mr. Bodenham what I had received.

3379. Did you tell Mr. Frederick Bodenham that you had seen Mr. Jay several times, and that you had always told him that you never had had any money?—No, I do not think I told Mr. Bodenham that.

3380. I ask you, upon your oath, did you not tell Mr. Bodenham what you had told Mr. Jay?—I would not say. I know I told Mr. Bodenham the right of it.

3381. When you saw Mr. Frederick Bodenham, did you tell him at the first moment that you had had money?—Yes, he asked me.

3382. As you had told Mr. Jay so many times over, and as your wife had told him that you never had had any money, how came you to tell Mr. Frederick Bodenham, all at once, that you had had 10*l.*?—Because I did not choose to tell the other; I told Mr. Bodenham.

3383. Had you a sore back after the election?—Yes, a very bad one, and I have had it many years, worse luck.

3384. Did you get a prescription from Mr. Jay to cure your back?—He said he had got one to give me.

3385. Was that when he was asking you to tell him what money you had had?—Yes.

3386. And though he promised you the prescription, did you still tell Mr. Jay you never had a penny?—Yes.

3387. Have you been to the "Maidenhead" public-house?—Many times.

3388. I mean at the time when the liberal voters were treated?—Yes, I have been there.

3389. How lately?—I have been in there. I was in there last Friday night, last Thursday night; however, on Thursday or Friday before I came here.

3390. When did you come up to London?—Last Thursday.

3391. With whom did you come?—I am sure I cannot say who I came with.

3392. Who brought you up?—A man of the name of Thomas Hards came up with me.

3393. That is the railway man?—Yes.

3394. Where have you been stopping?—Since I have been in town?

3395. Yes; with Hards?—He stops at the same house.

3396. You have been with a party of witnesses at

at the same public-house?—Yes, there are a good many stopping there.

3397. I want to know if you can give me nearer than two months when you first saw Mr. Frederick Bodenham at his house?—I cannot tell; it is about two months ago, as near as I can tell.

3398. Have you not said that this last was the purest election you had known, because you did not even get a glass of beer?—I told many so.

3399. Have you said that to a great many people?—I daresay I have.

3400. When did you change your mind and determine to come and say you had 10 *l.*?—I told Mr. Bodenham; he was the first gentleman I told.

3401. What were you to get for telling it?—I never got any thing.

3402. I daresay not; he is too cautious to do that; what was promised you?—He never promised me anything.

3403. Or your woman?—No.

3404. Did you never learn from your woman that you were to have something?—No, never.

Examined by the *Committee.*

3405. Did you say you were at the "Maidenhead" public-house last Friday night?—Last Friday week.

3406. You have said it was two months ago that you went to Mr. Jay's office, and told him you had never received anything?—Yes, I told Mr. Jay so when he asked me. I did not choose to tell him.

3407. And about the same time you went to Mr. Frederick Bodenham's?—Yes, soon afterwards.

3408. What was the interval between those two occasions?—It might be a week, or it might be ten days, or something like that; I could not say.

HEREFORD CITY ELECTION.

MINUTES OF EVIDENCE

TAKEN BEFORE THE

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;

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WITH THE

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I N D E X.

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Corrupt Practices. The Committee have no reason to believe that corrupt practices extensively prevailed at the election, *Rep.* iii.—— *See* also *Bribery. Treating.*

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D.

Derry, John Ede. Statement as to witness, who voted for Mr. Baggallay, having received 5 *l.* at the "Wellington" committee-rooms, he having been obliged to give up some valuable jobs of work in coming from Abergavenny to vote, *Derry* 776 *et seq.*——Supply of drink to witness and other voters gratuitously, *ib.* 827-837——Explanation that in making a statement to Mr. Frederick Bodenham, about the money received at the "Wellington," witness was not aware that Mr. Bodenham was agent for the petition, and did not tell him about the loss of work through leaving Abergavenny to vote, *ib.* 838-868.

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E.

Evans, Henry. Evidence to the effect that witness spoke falsely in making a certain statement that he had received money from Mr. Ralph for voting for Mr. Baggallay; he made this statement in order to obtain 10 *l.* which Mr. Treen, of Hereford, promised him, but of which he only got 1 *l.*, *H. Evans* 689 *et seq.*

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F.

Freemen. Considerable diminution in the number of freemen on the register, *Bosley* 9-14; *Johnson* 251-257. 269, 270.

G.

Garrold, Richard. Statement as to Mr. Richard Garrold, who is a sheep dealer, and cousin of Mr. Garrold, the agent for Mr. Baggallay, having offered witness some lambs if he would vote for Mr. Baggallay, *C. Smith* 2531-2550——Evidence in confirmation of the foregoing statement, *Prew* 2594 *et seq.*; *Hewittson* 2666-2674.

Garrold, Thomas William. Witness produces the appointment of Mr. Garrold, as agent for election expenses, by Mr. Baggallay, *Bosley* 7.

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Griffiths, John. Particular circumstances under which John Griffiths, blacksmith, gave witness 5 *l.*, with reference to his voting for Mr. Baggallay, *Tyler* 1142-1146. 1157-1166. 1207-1270.

Information relative to the circumstances under which witness received 10 *l.* from John Griffiths, as a bribe, to vote for Mr. Baggallay, *Killick* 2953 *et seq.*

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H.

Hare, Thomas. Statement as to witness having received, first, 4 *l.*, and, subsequently 5 *l.*, from Mr. William Baylis, the latter saying the money was not given in respect of witness voting for Mr. Baggallay, *Hare* 271–300. 390–398——Cross-examination as to the circumstances under which witness first gave information, and has come up to London as a witness, in regard to his having received money from Baylis, *ib.* 301 *et seq.*

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Resolution of the Committee, as to its having been proved that Hedger was bribed to vote for Mr. Baggallay, *Rep.* iii.

"*Hereford Times.*" Denial that the men connected with the "Hereford Times" are obliged to be electors, and are required to support the Liberal candidates, *Baker* 2915–2952.

J.

Jennings, Mr. Examination with reference to Mr. Jennings, saddler, having offered to advance witness some money, if he would vote for Clive and Clifford, *Gore* 1660–1674. 1782–1784. 1793–1803.

K.

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Resolution of the Committee, that the bribery of this witness for Mr. Baggallay was proved, *Rep.* iii.

Knowles, William. Particulars connected with the conveyance of 10 *l.* through witness to the voter Knowles, as a bribe for polling for Mr. Baggallay, *Gore* 1563–1639. 1653–1659 1763–1773.

Conclusion of the Committee, as to this case of bribery having been proved, *Rep.* iii.

L.

Lane, Philip. Particulars as to the circumstances under which witness received 10 *l.* from Mr. Philip Lane, assistant overseer at Hereford, for voting for Mr. Baggallay, *Wainscoat* 883 *et seq.*

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M.

Morgan, John. Offer of 15 *l.* or 20 *l.* to witness by Mr. Philip Lane, if he would vote for Mr. Baggallay, *Morgan* 3121–3133——Subsequent offer, twice made, of 10 *l.* by Mr. J. H. Evans if witness would poll for Baggallay, *ib.* 3134–3146——Witness declined to take a bribe, and voted for Clive and Clifford, *ib.* 3147, 3148.

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S.

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Tyler, Edward. Examination as to the circumstances under which witness received 5*l.* from John Griffiths, blacksmith, and 5*l.* from Mr. Preece, landlord of the "Old Harp," in respect of his voting for Mr. Baggallay, *Tyler* 1113–1172.

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TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

HEREFORD CITY ELECTION PETITIONS.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
9 *May* 1866.

255—I.

Under 2 *oz.*

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

HUDDERSFIELD ELECTION PETITION;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, *to be Printed,*
7 May 1866.

Friday, 20th April 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petition complaining of an undue Election and Return for the Borough of Huddersfield :—

Sir Thomas Edward Colebrooke.	Richard Horner Paget, Esq. (Somer E).
W. Nicholson Hodgson, Esq. (Carlisle).	George Otto Trevelyan, Esq.

The Right Hon. Lord NAAS, Chairman.

Monday, 23d April 1866.

Ordered, THAT the Petition relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee Rooms of the House, at Eleven of the Clock.

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REPORT.

HUDDERSFIELD ELECTION COMMITTEE.

Thursday, 3*rd May* 1866.

The House informed, that the Committee had determined,—

That Thomas Pearson Crosland, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Huddersfield.

The House further informed, that the Committee had agreed to the following Resolution :—

That the Committee have no reason to believe that corrupt practices extensively prevailed at the last Election for the Borough of Huddersfield.

PROCEEDINGS OF THE COMMITTEE.

Tuesday, 24th April 1866.

NAMES of the Members called over;—all present.

Room cleared, and Committee deliberated.

The Committee agreed to the following Preliminary Resolutions:—

1. That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

2. That if costs be demanded by either party under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

3. That the Committee expect that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member or his agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered so to do.

4. The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to inculpate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not be reasonably supposed to have been previously cognizant.

5. That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

6. That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue inufluence, and also with a list of those who are alleged to have exercised it.

7. The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

8. That no person shall be examined as a witness who shall have been in the room during any of the proceedings (with the exception of the agents, whose names shall be handed in,) without the special leave of the Committee.

9. That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

10. That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

11. That the Committee will follow the practice of the Courts of Law with regard to speeches, as laid down in Section 18 of the Common Law Procedure Act, 1854.

12. That if the leading Counsel are not prepared to sum up the case on either side when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel who may be absent.

Parties called in, and informed of the above Resolutions.

Petition of *Matthew Hale* and *John Eastwood*, complaining of the undue election and return of *Thomas Pearson Crosland*, Esq., at the last election for the Borough of Huddersfield, read.

Counsel for the Petitioners:—Mr. *Temple*, Q. C., Mr. Serjeant *Tindal Atkinson*, and Mr. *Macnamara*.

Agents for the Petitioners:—Mr. *John Sudlow*, Mr. *Thomas William Clough*, Mr. *George*

George William Byram, Mr. *John Burral Millard*,* Mr. *John Crawshaw*,* Mr. *Henry Hirst*, junior,* Mr. *Alfred Hirst*, and Mr. *David Sykes*.

Counsel for the Sitting Member:—Mr. *Hunter Rodwell*, Q. C., Mr. *Hannen*, and Mr. *Waddy*.

Agents for the Sitting Member:—Mr. *Henry E. Brown*, Mr. *Learoyd*, Mr. *Clay*, and Mr. *Slade*.

The names of the Counsel and Agents having been read,

Mr. *Hannen*, on behalf of the Sitting Member, was heard to object to the number of the Petitioners' Agents, on the ground that although they would probably be called as witnesses, they would, as Agents, have a right to remain in the room.

Mr. *Temple*, on behalf of the Petitioners, consented to strike out of the list, the names of *John Burrell Millard*, *John Crawshaw*, and *Henry Hirst*, junior.

Mr. *Temple* was heard to open the case for the Petitioners.

The Short-hand writers were sworn by the Chairman.

James Richard Naylor, sworn; examined, and produced writ, return, and handed in the poll books for the last election for the borough of Huddersfield.

George Thomas Wright, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple*.

William Spencer, having been summoned by a Speaker's Warrant, was called but did not answer.

Joseph Burton, who was called to prove the serving of the Speaker's Warrant, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen*.

Ordered to report the circumstance to the House.

David Tinker, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple*.

Margaret Tinker, sworn; examined by Mr. *Temple*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple*.

Patrick Flannagan, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple*.

James Henry Firth, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple*.

James Flannagan, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen*.

Thomas Heeles Broadbent, sworn; examined by Mr. *Macnamara*.

[Adjourned till To-morrow, at Eleven o'clock.

Wednesday, 25th April 1866.

NAMES of the Members called over;—all present.

Thomas Heeles Broadbent, recalled; further examined by Mr. *Macnamara*; cross-examined by Mr. *Rodwell*, Q. C.; re-examined by Mr. *Temple*.

Robert Thomas Robinson, returning officer for the Borough of Huddersfield, sworn; examined by Mr. *Macnamara*, and produced the detailed statements of the election expenses of both candidates.

Henry Brown, sworn; examined by Mr. *Temple*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Temple*.

Mary Richardson, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen*.

William Bolland, sworn; examined by Mr. *Macnamara*.

On the question being put, "When he showed you that sovereign, what did he say to you?"

Mr. *Hannen* submitted that this question could not be put, and was heard in support of his objection.

Mr. *Macnamara* was heard to address the Committee in support of the question, and cited the Ipswich Election Petition, Taunton Election Petition (second case), and

* Struck out of the List.

and the Great Marlow Election Petition, also "Rogers on Elections," Edition 10, page 481, as cases where similar questions had been put and allowed.

Mr. *Hannen* was heard in reply.

Room cleared. The Committee deliberated, and decided that the question might be put. Parties called in, and informed thereof.

Examination continued; cross-examined by Mr. *Hannen.*

Joseph Smith, sworn; examined by Mr. *Temple*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple.*

Thomas Gibson, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen.*

James Hutchinson, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple.*

Thomas Dean, examined by Mr. *Macnamara*; examination continued by Mr. *Temple.*

Mr. *Hannen* submitted that Joe Cliff's name not being in the list of persons alleged to be bribed, the evidence of the Witness so far as it related to Joe Cliff should be struck out.

Mr. *Temple* was heard against the objection, and submitted that the evidence was important, as showing Cliff's agency.

Resolved—"That the evidence, no objection having been made to its admissibility at the time of its having been given, be not struck out."

Cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple.*

Joe Wilson, sworn; examined by Mr. Serjeant *Tindal Atkinson.*

On the question being put, "Before you left the house do you remember Learoyd and Tolson said anything as to what you were to do?" "They said if we knew any voters we were to look after them and take them up." "What did you say to that?" "Thomas Dean said he would do his best,"—

Mr. *Hannen* objected that evidence of anything not contained in the list was inadmissible.

Mr. *Temple* was heard in support of the question.

Mr. *Rodwell* was heard in reply.

Resolved—"That evidence to prove general agency is admissible."

Cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple.*

[Adjourned till To-morrow, at Eleven o'clock.

Thursday, 26th April 1866.

NAMES of the Members called over;—all present.

Mr. *Temple* informed the Committee that he proposed to call a person of the name of Clayton to contradict the evidence of the witness David Tinker, that he had made and signed a certain statement in consequence of the former having promised him 20 *l.*

Mr. *Rodwell* objected to this course being taken.

The Committee decided that this evidence is not admissible.

Thomas Dean, recalled, and further examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Temple.*

Joe Wilson, recalled, and further examined by Mr. *Macnamara*; cross-examined by Mr. *Rodwell.*

Sarah Brook, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple.*

Frederick Kilner, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen.*

James Kilner, sworn; examined by Mr *Temple.*

Cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple.*

James Kilner, senior, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple.*

William

William Hoyle, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Temple*.

William Burton, sworn; examined by Mr. Serjeant *Tindal Atkinson*.

On a paper containing a former statement by the witness being shown to him,—

Mr. *Rodwell* submitted that he was entitled to see the paper.

Mr. *Temple* objected that he was entitled to treat the witness as a hostile witness, on the ground that he had made a different statement from that which was expected by the parties calling him.

Mr. *Rodwell* was heard in reply.

Resolved—"That the witness had not been proved to be hostile."

William Wilkinson, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Rodwell*.

Eli Sowerbutts, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Temple*.

William Turner Bygott, sworn; examined by Mr. *Macnamara*.

David Shaw, examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Temple*.

[Adjourned till To-morrow, at Eleven o'clock.

Friday, 27th April 1866.

NAMES of the Members called over;—all present.

John Dyson, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Rodwell*; re-examined by Mr. Serjeant *Tindal Atkinson*.

Edwin Taylor, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Rodwell*.

Alfred Woodhead, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Temple*.

William Eastwood, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple*.

John North, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple*.

George Allatt, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Macnamara*.

John Hermann, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple*.

James Fawcett, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Temple*.

Joseph Haigh Bradley, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Rodwell*; re-examined by Mr. Serjeant *Tindal Atkinson*.

Benjamin Shaw, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Rodwell*; re-examined by Mr. Serjeant *Tindal Atkinson*.

Joe Rayner, sworn; examined by Mr. *Macnamara*; cross-examined by Mr *Rodwell*.

Mr. Serjeant *Tindal Atkinson* tendered in evidence an account of a meeting of Colonel *Crosland's* supporters continued in the "Huddersfield Chronicle" of 25 June 1864, of which Colonel *Crosland* is the registered proprietor, as evidence against the Sitting Member.

Mr. *Rodwell* objected.

The Committee decided that it could not be received as evidence.

Thomas Shuttleworth Yates, sworn; examined by Mr. Serjeant *Tindal Atkinson*.

Mr. *Temple* stated that he would now proceed to call witnesses to prove undue influence.

James Bawtry, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Rodwell*.

Jane Bawtry, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Temple*.

George Dickinson, sworn; examined by Mr. *Macnamara*; cross-examined by Mr. *Rodwell*; re-examined by Mr. *Temple*.

John Roebuck, sworn; examined by Mr. Serjeant *Tindal Atkinson*.

[Adjourned till To-morrow, at Eleven o'clock.

Saturday, 28*th April* 1866.

NAMES of the Members called over;—all present.

John Roebuck, recalled; cross-examined by Mr. *Hannen*.

John Stanley, sworn; examined by Mr. *Temple*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple*.

Thomas Naylor, sworn; examined by Mr. *Temple*; cross-examined by Mr. *Hannen*.

George Northrop, sworn; examined by Mr. *Temple*; cross-examined by Mr. *Hannen*; re-examined by M. *Temple*.

Sykes Mellor, sworn; examined by Mr. *Temple*; cross-examined by Mr. *Hannen*; re-examined by Mr. *Temple*.

John Tillotson, sworn; examined by Mr Serjeant *Tindal Atkinson*; cross examined by Mr. *Hannen*; re-examined by Mr. Serjeant *Tindal Atkinson*.

Joseph Smith, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*; re-examined by Mr. Serjeant *Tindal Atkinson*.

Joseph Armytage, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*.

Joe Brook, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*.

John Brook, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*; re-examined by Mr. Serjeant *Tindal Atkinson*.

Richard Turner, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*.

James Townend, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*.

Matthew Milnes, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Rodwell*.

Charles Walker, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Rodwell*; recalled; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Rodwell*.

Henry Milnes, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Rodwell*.

Alfred Flint, sworn; examined by Mr. Serjeant *Tindal Atkinson*; cross-examined by Mr. *Hannen*; re-examined by Mr. Serjeant *Tindal Atkinson*.

Mr. Serjeant *Tindal Atkinson* stated that the case of the Petitioners was closed, with the exception of the evidence of William Spencer, whom at present they had been unable to apprehend; he therefore requested that, should William Spencer be apprehended by Monday morning, he might be allowed to examine him then.

The Committee acceded to the application.

[Adjourned till Monday next, at Eleven o'clock.

Monday, 30*th April* 1866.

NAMES of the Members called over;—all present.

Mr. *Temple* informed the Committee that their efforts to apprehend William Spencer having proved unsuccessful, the case of the Petitioners was closed.

Mr. *Rodwell* was heard to address the Committee on behalf of the Sitting Member.

Colonel

Colonel *Thomas Pearson Crosland*, the Sitting Member, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Temple*; re-examined by Mr. *Waddy*.

Thomas Rymer Webb, sworn; examined by Mr. *Waddy*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

John Woodhead Crosland, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Temple*.

George Brighouse, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

[Adjourned till To-morrow, at Eleven o'clock.

Tuesday, 1st May 1866.

NAMES of the Members called over;—all present.

Samuel Fox Wilson, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*.

Hugh More, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

John Marsden, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

Matthew Milnes, recalled; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*.

William Hannen, sworn; examined by Mr. *Waddy*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

Colonel *Charles Cobbe*, sworn; examined by Mr. *Rodwell*.

James Waller, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

Alfred Bantofft, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

Joseph Wrigley (Junior), sworn; examined by Mr. *Waddy*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

Charles William Mitchell, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

William Richardson, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

William Henry Aston, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Temple*.

John Brook, sworn; examined by Mr. *Waddy*; cross-examined by Mr. Serjeant *Tindal Atkinson*; re-examined by Mr. *Hannen*.

Daniel Eastwood, sworn; examined by Mr. *Hannen*; cross-examined by Mr. Serjeant *Tindal Atkinson*; re-examined by Mr. *Hannen*.

John Henry Swift, sworn; examined by Mr. *Waddy*.

Henry Dyson Taylor, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Temple*; re-examined by Mr. *Hannen*.

Charles Hare, sworn; examined by Mr. *Waddy*; cross-examined by Mr. *Temple*.

Charles Sunderland, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*.

Joseph Hellawell, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*.

Charles Brooker, sworn; examined by Mr. *Rodwell*.

Tom Learoyd, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

Henry Brooks, sworn; examined by Mr. *Rodwell*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell*.

[Adjourned till To-morrow, at Eleven o'clock.

Wednesday, 2d of May, 1866.

NAMES of the Members called over;—all present.

Thomas Robinson, sworn; examined by Mr. *Waddy*; cross-examined by Mr. *Temple.*

John Sunderland Tolson, sworn; examined by Mr. *Hannen.*

Jonas Walker, sworn; examined by Mr. *Hannen*; cross-examined by Mr. *Temple*; re-examined by Mr. *Rodwell.*

Nehemiah Learoyd, sworn; examined by Mr. *Hannen.*

Mr. *Rodwell* stated that he had now closed the case on behalf of the Sitting Member, and proceeded to sum up the case on behalf thereof.

Mr. *Temple* was heard in reply.

[Adjourned till To-morrow, at Eleven o'clock.

Thursday, 3d of May 1866.

NAMES of the Members called over;—all present.

Mr. *Temple* was further heard in reply.

Room cleared. The Committee deliberated.

Resolved—"That *Thomas Pearson Crosland,* Esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Huddersfield."

Resolved—"That the Committee have no reason to believe that corrupt practices extensively prevailed at the last election for the Borough of Huddersfield."

Parties called in, and informed of the above Resolutions.

Ordered, to Report the same to the House.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Tuesday, 24*th April* 1866.

MEMBERS PRESENT:

Sir T. E. Colebrooke.	R. H. Paget, Esq.
W. N. Hodgson, Esq.	G. Otto Trevelyan, Esq.

THE RIGHT HONOURABLE LORD NAAS, IN THE CHAIR.

Mr. JAMES RICHARD NAYLOR was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

1. YOU are Chief Clerk of the Crown?—Yes.
2. Do you produce the writ and return for the last election for Huddersfield?—Yes.
3. Do you also produce the poll-books?—Yes.

Cross-examined by Mr. *Hannen*.

4. When did you receive them?—On the 15th July 1865.

Mr. *J.R. Naylor.*

24 April 1866.

Mr. GEORGE THOMAS WRIGHT was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

5. I BELIEVE you are a Grocer and Tea-dealer?—No.
6. What are you?—A Commercial Traveller.
7. You formerly lived in Huddersfield?—Yes.
8. You now live, I believe, in Derby?—Yes.
9. About a week before the last election for Huddersfield, were you there on business?—I was.
10. Do you remember being near the "George Hotel"?—Yes.
11. When you were near the "George Hotel," who did you see there in a cab?—I saw Mr. Learoyd and Crosland.
12. Is that Mr. Nehemiah Learoyd; was it Nehemiah Learoyd, the solicitor?—Yes; I see the gentleman in the room.
13. You saw Mr. Nehemiah Learoyd and Mr. Crosland?—Yes.
14. Mr. Crosland, the sitting Member?—Yes.
15. Were they together in the cab?—Yes.
16. State what took place?—I will to the best of my memory: Mr. Learoyd got out of the cab and came up and shook hands, and spoke to me.
17. Did the cab stop when they saw you?—The cab pulled up; Mr. Learoyd, after passing the compliments of the day, asked me if I had any objection to Mr. Crosland; I said, "Certainly not." Mr. Learoyd said he wanted me, or he would rather like me, I do not know that I can put it in the exact words, but he would like me to get away a friend of mine.
18. By Mr. *Hannen*.] As near as you can give the exact words?—That Mr. Learoyd would like me to invite over to my house at Derby a friend of mine at Huddersfield.
19. Mr. *Macnamara*.] Did he name him?—Yes.

Mr. *G.T. Wright.*

Mr. *G.T.Wright*

24 April 1866.

20. What name did he use?—Mr. Adam Oldroyd.

21. Was Adam Oldroyd a voter for Huddersfield?—Yes.

22. Go on?—I smiled at the idea; I made some reply, that I would see.

23. Had any conversation passed between you as to the candidate for whom Oldroyd would vote probably?—Yes; Mr. Learoyd said, "I believe your friend will vote for Mr. Leatham."

24. When he said that he believed that he would vote for Mr. Leatham, what did you say?—I do not know that anything else transpired.

25. Was it before he asked you if you could get him to Derby, that he told you he believed he would vote for Mr. Leatham?—Yes, I believe it would be.

26. Was anything said as to what Mr. Learoyd would do if you would get Oldroyd to Derby?—Mr. Learoyd said that if I was at any expense it would be all right. That is as near as my memory will serve me.

27. How near to you was Mr. Crosland whilst this conversation was going on?—Mr. Crosland was in a patent safety cab, and I think he must have been six or eight yards away; I cannot say to a yard or two.

28. By the *Committee.*] Was Mr. Crosland in the cab?—Yes.

29. Mr. *Macnamara.*] I believe you did not accept the commission; you did not attempt to get Oldroyd out of the way?—I never saw Mr. Oldroyd.

30. You have told us about Derby being mentioned; was any other place mentioned?—I could not swear that any other place was mentioned.

Cross-examined by Mr. *Hannen.*

31. You do not seem to have a very clear recollection of this conversation. Have you or not a clear recollection of what passed on this occasion?—What I said is as near as my memory will serve me.

32. You say you do not remember whether any other place was mentioned; do you remember whether or not any other place than Derby was mentioned?—I would not swear it.

33. I want to know whether you have a clear recollection of the words which were used by Mr. Learoyd?—Yes; the statement I have made is as much to the truth as my memory will serve me.

34. What are you?—A commercial traveller.

35. For whom do you travel?—For William Brown & Co., of Liverpool.

36. What is your acquaintance with Huddersfield?—I am there every fourteen days on business, calling on the grocers.

37. You used to reside there, I believe?—I did.

38. What has been your previous acquaintance with Mr. Learoyd?—I have known Mr. Learoyd, as a solicitor, for many years.

39. Have you had business with him?—I do not know that I have ever had business with him; he has had business perhaps against me.

40. Had you anything more than that casual acquaintance which arose from a solicitor having had business against you?—Residing in the same town, I knew Mr. Learoyd very well to speak to; we never passed without recognising each other.

41. Did that arise from his having had business against you?—No, I do not know that it did; I have known Mr. Learoyd as long as he resided in Huddersfield.

42. Have you ever been in his office; have you ever had any business transactions with him?—Yes.

43. What business transactions have you had with him?—I am sure I cannot say the last case, for I have not been a resident in Huddersfield the last seven years.

44. You cannot remember what business you ever had before the seven years?—Yes, I can.

45. What was it?—I think he was the solicitor concerned in opposing me in going through the Bankruptcy Court.

46. That is seven years ago?—That is eight years ago.

47. Since that time, have you had any sort of relation with Mr. Learoyd beyond recognising one another when you met in Huddersfield?—I do not know that I have.

48. You say that Mr. Crosland and Mr. Learoyd were together; I ask you, first of all, who began the conversation?—Mr. Learoyd.

49. What did he say to you in the first instance?—We passed the compliments of the day; that would be the opening remark.

50. Was there then a general conversation about the election?—Yes; and a few remarks passed about the election.

51. What then?—Mr. Learoyd put the question to me about my friend Adam Oldroyd, how he would vote.

52. What did you say?—I said, I believed he would vote for Mr. Leatham.

53. That was the introduction of it?—Yes.

54. What then?—Mr. Learoyd asked me if I would get Adam Oldroyd over to Derby.

55. Did you not say that you did not think Oldroyd would vote for Mr. Crosland, but you did not think he would vote against him?—No.

56. Did nothing of that kind pass?—No.

56*. What was the first thing Mr. Learoyd said to you?—The first thing he said to me was, he asked me if I had anything against Mr. Crosland, personally.

57. What was the first thing he said to you with regard to Oldroyd?—He asked me if I would get him over to Derby.

58. You say that was the very first thing he asked you?—Not the very first thing.

59. Before he asked you to get him over to Derby, what had he said to you?—I told you that we had just passed the compliments of the day, and Mr. Learoyd asked me if I had anything against Mr. Crosland, and I said, "No"; and then he went on to ask me how was my friend Oldroyd going to vote; I said, I believed he would vote for Mr. Leatham, and then Mr. Learoyd asked me if I could get him over to Derby during the election.

60. After you said that you thought he would vote for Mr. Leatham, the very first words were that he asked you to get him over to Derby?—I do not know that they were the very first words; it was in the next sentence.

61. What was your reason for thinking Oldroyd would vote for Mr. Leatham?—Because I knew that Oldroyd voted for Mr. Leatham at the last election.

62. Do you say so?—No, I do not say so. I saw

saw Mr. Oldroyd on business every 14 days, and we frequently talked upon the election topic.

63. Was Oldroyd in the habit of coming to your house in Derby?—Yes; he has been several times.

64. Did you say that you did not think that Oldroyd would vote against Mr. Crosland?—No.

65. You say that he was at your house several times; did you mention to Mr. Learoyd that he was in the habit of coming to your house?—I do not know that I did.

66. Will you swear that you did not?—No, I would not swear it.

67. You did not tell Mr. Learoyd that he was in the habit of coming to your house; and that you would take an opportunity of talking the subject over with him?—Yes, I might say so.

68. Now, just brush up your memory; upon your oath, did you not say that he was in the habit of coming to your house at Derby, and you would take an opportunity of talking over with him?—No, I would not take my oath that I said so.

69. Surely, your memory cannot be in such a condition that you cannot tell us whether you said so or not?—My memory does not serve me that that conversation took place.

70. Can you snggest any means by which Mr. Learoyd should know whether Oldroyd was in the habit of coming to your house at Derby, if you did not tell him?—I do not know.

71. Can you suggest any means by which Mr. Learoyd should know that you lived at Derby at all, except from your telling him?—Mr. Learoyd knew where I lived.

72. I ask you, whether you can inform the Committee of any means by which you can imagine that Mr. Learoyd knew you lived at Derby, unless you told him?—Mr. Learoyd knows where I live, and has known for years where I have lived.

73. You cannot tell me any reason why he should know?—No, I do not know any reason.

74. Did you, in fact, expect Oldroyd over at Derby shortly?—No.

75. Did you say to Mr. Learoyd that you expected him shortly?—Not that I know of.

76. What do you recollect that you said about his being at Derby?—I recollect what I have stated.

77. What is that?—What I stated at the onset; Mr. Learoyd sprang out of the cab as it came from the railway station, and in all the hurry and bustle we had two minutes' conversation; and I had no idea that I should have had to keep every little saying in my memory.

78. This conversation which you depose to was, as you say, in the hurry and bustle of a two minutes' conversation in the open street, Mr. Learoyd having jumped out of a cab to speak to you; is that so?—Yes.

79. When did you first mention this conversation to any one, which you did not think you should ever have to repeat?—Not until after the election.

80. How soon, and to whom?—I named it to a friend of mine in Huddersfield, Mr. Appleton.

81. Who is Mr. Appleton?—He is a tradesman in Huddersfield, a friend of mine.

82. Is he a supporter of Mr. Leatham?—Yes.

Mr. *G.T.Wright.*

24 April 1866.

Re-examined by Mr. *Temple.*

83. How long after the conversation you have spoken to was it that you mentioned it to Mr. Appleton?—Weeks, I should think; some time after the election was over.

84. Was it a very long time after the election, or not a very long time after the election?—I cannot say; I am every 14 days in Huddersfield; it just came up casually in talking of the election after it was over; it might be a month, or six months, or two months afterwards.

85. How long do you suppose elapsed between his jumping out of the cab and his leaving you?—A minute and a-half or two minutes.

86. You say that you do not remember the exact words that he used; have you any doubt that you have given the meaning and substance of what he said?—I have not.

87. You say that you mentioned it some little time after the election to your friend Mr. Appleton?—Yes.

88. You have not lived in Huddersfield for seven years, I think you say?—No.

89. How many years did you live in Huddersfield?—I finished serving my time in Huddersfield; altogether I should be in Huddersfield 15 or 16 years.

90. During how long of those 15 or 16 years were you acquainted with Mr. Learoyd?—I knew Mr. Learoyd when he was a lad in Mr. Clough's office.

91. When he was in his clerkship?—Yes.

92. Had you constant communication with him from your first knowing him, whenever you met him?—We knew each other; he recognised me.

93. I understand that some seven or eight years ago you went through the Bankruptcy Court?—I did.

94. Who was your attorney in the matter?—Mr. Clough.

95. Had Mr. Learoyd served his clerkship in Mr. Clough's office?—Yes.

96. Was Mr. Learoyd employed on that occasion against you?—Yes, he was.

97. After the proceedings were over, was it then you went to Derby?—Yes.

98. During the whole of the seven or eight years when you have been in Huddersfield, have you frequently met and spoken to Mr. Learoyd?—I have.

Examined by the *Committee.*

99. Will you repeat the expression as to its being "All right"; what did Mr. Learoyd say, try and recollect the exact words?—Mr. Learoyd, after naming the subject of my friend coming over to see me, finished with the expression (this is as near as I can recollect), "The expenses will be all right."

100. Did you ask him what he meant?—No; I took for granted what he meant, if I had attempted to have done such a thing.

William Spencer, having been called, did not answer to his name.

Mr. *Temple* stated, that he proposed to call a witness to prove what steps had been taken to insure the attendance of this witness.

JOSEPH BURTON was called in, and, having been sworn; was Examined by Mr. *Macnamara*, as follows:

J. Burton.
24 April 1866.

101. Do you live at No. 184, Euston-road, London?—Yes.

102. Do you know William Spencer, of Huddersfield?—Yes.

103. What was he?—I think he was a compositor.

104. Do you know on what newspaper?—The "Huddersfield Chronicle," I think he was.

105. Whose newspaper is that?—I believe it is Mr. Fawcett's.

106. Was William Spencer a voter for Huddersfield?—Yes, he was.

107. On the 4th of March last did you see him?—Yes, I saw him.

108. In London?—Yes, I saw him in London; he was in my company.

109. By the *Committee.*] Where did you see him?—At the "Green Man."

110. Where?—In Euston-road, kept by Mr. Tilley.

111. Mr. *Macnamara.*] What did you do?—We had a glass or two together on our way home. I did not happen to have the subpœna in my pocket then, for I did not expect to see him, when I saw him on Sunday evening.

112. By the *Committee.*] Last Sunday evening?—No, on the 4th of March. I went away home then, and I got this subpœna, and I served it upon him in the road, near my own house.

113. On the same day?—On the same day.

114. Mr. *Macnamara.*] When you say subpœna, you mean Speaker's warrant?—Yes.

115. You served it upon him personally?—I served it upon him personally.

116. Did you ask him also for his address; where he might be found?—I did, and he called upon me the next day. He was rather a little in drink.

117. Never mind that, but just tell us the address which he gave you?—This is the address he gave me; he wrote it himself on a piece of paper:

"William Spencer,
"16, Regent Terrace, Lamb's Hill,
"Nr. Leighton Buzzard,
"Bedfordshire."

118. On last Friday, did you go with the solicitor for the petitioners (Mr. Clough), to "Leighton Buzzard"?—I did.

119. And did you go to Regent-terrace?—Yes.

120. Were you able to find Spencer there?—Not at all.

121. You could not?—No.

122. Did you find that he had lodged there formerly?—Yes, we did.

123. Were you informed that he directed all communications to be sent to him somewhere else?—We found that he directed them to be sent to 16, New Millman-street.

124. Where is that?—Beside the "Foundling Hospital."

125. In London?—In London.

126. By the *Committee.*] Was that the address given to you at this place near Leighton Buzzard?—Yes, it was.

127. Mr. *Macnamara.*] Did you find from your inquiries when it was that he had left Leighton Buzzard?—They said he had left last Christmas.

128. I think you went to a printer there, where he had been engaged?—Yes, we did.

129. Did you get the same answer there?—They said they did not know where he was.

130. So far as you know, had he been there since Christmas?—No, he had not.

131. Then, I believe, you afterwards went to Millman-street, to try and find him there, near the "Foundling"?—Yes.

132. Was that on the same day that you went down to Leighton Buzzard?—No; the same day, in the evening.

133. And did you leave there a notice for him to attend this Committee?—Yes, I did.

134. And to be present here this morning?—Yes.

135. I believe, yesterday, you went to New Millman-street?—Yes, and I have been there this morning.

136. And you have been there again this morning; have you been able to find him there?—No.

137. And I believe you have been to a brother of his in London?—I have seen his brother.

138. Have you endeavoured to find him?—I have endeavoured to find him; but his mother would not tell me where to find him.

139. You have been to see his mother?—Yes.

140. Did she tell you where he was?—No, she would not.

141. In answer to your inquiries, what did she say?—She said she did not know.

142. When you asked her further, what did she say?—She would not tell us; she said she could not tell us; she said she did not know.

143. Did she say anything about her son?—In what respect?

144. About his attending or leaving his address for you?—She said, "No, I do not want to know." She said to him, "Don't leave me any address where you are going to, for I will not know where you are going to if you do."

145. That is what the mother told you she had said to him?—Yes.

146. By the *Committee.*] Have you done everything in your power to find this man?—I have done everything I could.

Cross-examined by Mr. *Hannen.*

147. Do you know anything about this man?—I know him personally.

148. Do you know that a warrant is out against him for having deserted his wife and children?—I have heard something of that sort.

149. By the *Committee.*] You have only heard that, you do not know it?—I have heard of it.

Mr. *Temple* stated, that he must ask the Committee to report the non-attendance of William Spencer, in obedience to the Speaker's warrant to the House of Commons.

The *Chairman* stated that the Committee would report the circumstance to the House.

DAVID TINKER was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

150. Do you keep the "Turk's Head," a beer-house in Castle Gate, Huddersfield?—Yes.

151. By the *Committee.*] Is it a beershop or a public-house?—A beershop.

152. Mr. *Macnamara.*] I believe you were entitled to vote at the last election for the borough of Huddersfield?—Yes.

153. Now, about six weeks before the last election, were you canvassed on behalf of Mr. Leatham first?—Yes; I was canvassed by both.

154. First, were you canvassed on behalf of Mr. Leatham?—Yes.

155. And did you promise to vote for Mr. Leatham?—Yes.

156. I believe about a month before the election that you were canvassed on behalf of Mr. Crosland?—Yes.

157. Who waited upon you on that occasion; who came to you to canvass you for Mr. Crosland?—Mr. Crosland himself.

158. Was there anyone with him?—There were two or three gentlemen with him.

159. I believe you refused to pledge yourself on behalf of Mr Crosland?—Yes.

160. When that was the case, did you hear any of the gentlemen who were with Mr Crosland say anything to Mr. Crosland?—No.

161. Or hear him say anything to them?—No.

162. By the *Committee.*] You heard nothing said by the other gentlemen?—No.

Mr. *Macnamara.*] The polling day was the 13th of July, I believe; it may be taken as Thursday, the 13th of July.

163. Do you remember, on the polling day, about one o'clock in the afternoon, some one coming to your house?—Yes.

164. Who was it that came to your house?—There were several parties who came.

165. Who came to your house?—Several parties came.

166. Did Mr. Learoyd come to your house on that day?—Yes.

167. About what time was that?—Between one and two o'clock.

168. Is that Mr. Nehemiah Learoyd, the solicitor?—Yes.

169. Did any other person come with him?—Yes, there were two or three with him.

170. When Mr. Learoyd came into your house, where were you?—Just coming out of the bar.

171. Did Mr. Learoyd then speak to you?—Yes.

172. What did he say?—He went into a back room first, and he ordered a gallon of ale.

173. By the *Committee.*] Who did, Mr. Learoyd?—Yes.

174. Mr. *Macnamara.*] Did you go into a back room with Learoyd?—Yes.

175. By the *Committee.*] Your two selves?—No, there were a score of us.

176. Tell us about how many there were?—Fifty or 60; there was a room-full.

177. Fifty or 60 people came in with Learoyd?—No, they were in the house at that time.

178. Mr. *Macnamara.*] In this back room, how many people were there, do you say?—Fifty or 60, I should think.

179. Who paid for the gallon of ale?—A man they called Lambert.

180. Was he one that came in with Learoyd?—Yes.

181. While you were in the back room, did Mr. Learoyd say anything to you?—Yes; we came out of the back room.

182. Who came out of the back room?—Me and Mr. Learoyd; he said he wanted to speak to me privately.

183. And when he said that, where did you and Mr. Learoyd go to?—We were going up the chamber stairs first; we went up two or three steps.

184. As you were going up, what happened?—Somebody pulled us down.

185. Pulled you back, I suppose you mean?—Yes.

186. By the *Committee.*] Somebody pulled you down?—Yes.

187. That is, you and Mr. Learoyd?—Yes.

188. Mr. *Macnamara.*] Who was that; do you remember who it was that pulled you back?—No, I do not remember.

189. When you were pulled back from going up the steps, did Learoyd say anything to you?—No; then we went up to the top of the cellar stairs.

190. Those are stairs leading down to your cellar?—Yes.

191. When you got to the top of the cellar stairs, what did you do?—He said Mr. Crosland wanted to see me.

192. By the *Committee.*] Who said that?—Mr. Learoyd.

193. Did he say where?—At the "George."

194. Mr. *Macnamara.*] What then?—I told him I would see this person in a bit.

195. What then?—Then he sent a man down for me.

196. Before we come to that, what did Mr. Learoyd say or do while you were at the top of the cellar-steps?—He did nothing else.

197. Did anything pass between you?—No.

198. Did he put anything into your hand?—No.

199. Did he give you anything?—No.

200. Did you receive any money?—No.

201. You have been examined on this matter by Mr. Clough's clerk, have you not?—Yes.

202. And you gave your statement to him?—Yes.

203. And signed it?—Yes.

204. Is this your signature; take it into your hands and just look through that document, and refresh your memory (*handing a document to the Witness*); having read that, upon your oath, did not Nehemiah Learoyd put seven sovereigns into your hand?—No.

205. Did you tell Mr. Clough's clerk that he had?—Yes.

206. By the *Committee.*] You told Mr. Clough's clerk that he had?—Yes, on certain conditions.

207. Mr. *Macnamara.*] Was that true, or was it a lie?—It was a lie.

208. What made you tell that lie?—Because they were at me every day, and because they said they knew very well that I had got bribed.

209. So

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209. So that at last you said you had got bribed?—Yes. I will tell more of that yet.

210. Let us have it all out?—I wanted 1*l.* 10*s.* from Mr. Leatham's party for arrears of ale at the election.

211. From whom?—From Mr. Hopkinson.

212. You wanted 1*l.* 10*s.* arrears from Leatham's party?—Yes.

213. What do you mean by "arrears"?—For ale he had on the polling and the election day.

214. This last election?—Yes.

215. By the *Committee.*] You wanted 1*l.* 10*s.* for arrears?—On the polling-day and election day.

216. What polling and election day?—This last; the 13th and 14th.

217. That is the nomination day?—Yes.

218. Mr. *Macnamara.*] What arrears were they?—For ale that he had ordered.

219. By the *Committee.*] Who had ordered it?—Mr. Hopkins had ordered it.

220 Well, go on?—They were at me every day, saying that I had got bribed, and I told them that I had not; and they said they knew very well I had, and they said if I would tell them the tale they would get me my money.

221. By Mr. *Macnamara.*] Who said that to you?—Who said that to me? Clough's clerk.

222. When?—Well, a week or two after.

223. A week or two after the election?—Yes.

224. Where did he say that?—In our house.

225. Have you ever got it?—Got what?

226. The arrears?—No; I had not then.

227. By the *Committee.*] Clough's clerk said to you that if you would tell the tale he would get you the money?—Yes; he said if I would sign it.

228. What was his name?—Byton.

229. Mr. *Macnamara.*] Was it upon that, that you invented this story about Mr. Nehemiah Learoyd placing seven or eight sovereigns in your hand?—Yes; but I had several persons call upon me before.

230. Was it on that, that you invented this story?—Yes.

231. Mr. Tinker, do not you know that your wife had made a similar statement, that you had received these seven sovereigns from Mr. Learoyd some weeks before you were examined by Mr. Clough's clerk?—No, I do not know it.

232. Did not your wife tell you so?—No.

233. Have you been to Mr. Learoyd's office since you made your statement to Mr. Clough's clerk?—No.

234. Have you seen Mr. Learoyd?—No.

235. Have you seen any of his clerks?—I have seen several people, but I don't know whether they are his clerks.

236. You know Mr. Learoyd?—I know Mr. Learoyd.

237. Have you seen Mr. Slade since you made this statement?—Who?

238. Mr. Slade, the gentleman who is sitting there at the corner of the table?—Who is he?

239. Mr. Slade is Mr. Learoyd's clerk?—No.

240. Have you seen him?—No; I do not know him.

241. You have told us that Mr. Learoyd said he wanted to privately speak to you, and that you went to the top of the cellar stairs?—Yes; I shook hands with him.

242. What did he want to say to you privately?—He only said this, "Mr. Crosland wants to see you at the 'George,'" and I told him I would call.

243. By the *Committee.*] Was that all he said?—Yes; and he sent down a cab for me.

244. Mr. *Macnamara.*] What was it that made you change your mind as to voting for Leatham?—I do not know that I changed my mind any time in particular.

245. Come, there must have been some time when you changed you mind?—I did not change my mind exactly.

246. You have told us that you had promised to vote for Leatham six weeks before the election?—I had never made a full promise.

247. Was it on the morning of the election that you changed your intention, and made up your mind to vote for Crosland?—It was during the polling day.

248. By the *Committee.*] Did you not say that six weeks before the election you were canvassed by Leatham's party, that you promised to vote for them?—I was canvassed by both of them.

249. We have it that you were canvassed by Leatham's party, and that you promised to vote for them six weeks before the election, and that a month before the election you were canvassed by Mr. Crosland, and that you refused to pledge yourself?—I promised them both. I told them both that I would vote for them.

250. You promised them both?—Yes.

251. Now, you tell us that it was on the polling day that you made up your mind to vote for Mr. Crosland?—Yes.

252. What time of day was it when you changed your mind, when that change came over you?—Between one and two o'clock.

253. Was it after this conversation with M Learoyd?—Well, I think it was after.

254. Was it after your conversation with Mr. Learoyd that you promised to vote for Mr. Crosland?—Was it after I had seen him?

255. Was it during the conversation with Mr. Learoyd that you resolved to vote for Mr. Crosland?—Yes.

256. And while you were at the top of the cellar steps?—Yes.

257. Then Mr. Learoyd went away?—Yes.

258. About how soon after that did a cab come for you?—Well, I should say about three parts of an hour.

259. About an hour?—Yes; or three parts of an hour.

260. And then you went in that cab, I believe, and voted for Mr. Crosland?—Yes.

261. Let me ask you this, was Patrick Flanagan an assistant waiter in your house on that day?—Yes.

262. And I believe he is some relation to your wife?—Yes, they are cousins.

263. Do you remember that he had gone down to the cellar for some beer before you went to the top of the cellar stairs?—No.

264. Did you see him on the cellar stairs, or somewhere down the stairs, while you were there?—I saw him coming up.

265. While you were at the top?—Yes.

266. By the *Committee.*] You saw Flanagan coming up the stairs while you were standing with Mr. Learoyd at the top, is that it?—Yes.

267. Mr. *Macnamara.*] James Flanagan, the father, was also at your house on that day, but Patrick Flanagan was the one you saw coming up the cellar stairs?—Yes.

268. After Mr. Learoyd had gone away, did you

you give your wife some money?—Yes, I gave her what I had taken that day.

269. Was it before or after you went and voted?—Just before I went and voted.

270. How much did you give her?—I don't know what I gave her; I gave her all I had.

271. How much?—I did not count it.

272. Can you not tell us what it was?—There might 6 *l.* or 7 *l.*, or 5 *l.*

273. Was there 7 *l.*?—I gave her what I had; I don't know what it was.

274. By the *Committee.*] It might have been 7 *l.*?—Yes.

275. Mr. *Macnamara.*] Was it 7 *l.*?—It might be 6 *l.* or 5 *l.*

276. By the *Committee.*] You had better take care?—I gave her all I had; I did not count it.

277. Do you mean to swear that you did not know what money you had?—I did not know what money I had.

278. Mr. *Macnamara.*] Did you give her anything else but sovereigns?—I gave her some silver.

279. Will you swear that the seven sovereigns were not amongst them?—I will swear that.

280. They were not?—No, they were not.

281. Did you tell her to go and put it away?—Yes.

282. Did you give her a key?—Yes, which belonged to a chest of drawers up stairs.

283. And you told her to put it away?—Yes.

284. In your beer-shop, before one o'clock on that day, had you taken as much as seven sovereigns?—Yes, I dare say I had.

285. Had you yourself?—Yes, me and my wife.

286. In your business?—Yes.

287. By the sale of beer?—Yes.

288. You say that you had?—Yes.

289. Does your wife take money; receive money?—Yes.

290. Your wife receives money as well as yourself?—Yes, she gave it to me on that day; she does so regularly.

291. Now, when Learoyd had gone away, and while he was there, was there a person of the name of Firth in your house?—Yes, I think there was.

292. He is a French-polisher, living at Huddersfield, is he not?—Yes.

293. Do you remember his saying something to you about Learoyd, when Learoyd left?—Yes.

294. I want to ask you upon that; did you say this to him, "You fool"! (or words to that effect) "I shall vote for them who gives me most money"?—Well, I might; I might have done so.

295. You did so, in point of fact, did you not?—I say that I might have done so.

296. By the *Committee.*] You must answer the question?—I had had middle ale that day.

297. You must answer the question, yes or no?—I say I might have done so.

298. You must answer the question, that is not an answer?—I do not know whether I did or not.

299. Mr. *Macnamara.*] Did you not say that; he is here, mind, I shall call Firth; did you say, "You fool! I shall vote for who gives me most money"?—I do not know the words that I used to him exactly.

300. We do not want to know the exact words, but did you not say that to him in substance?—I said something to him.

301. By the *Committee.*] You must answer the question; you are here to tell the truth; and you must tell the truth without prevarication?—I might have said so.

302. Mr. *Macnamara.*] Did you not say so?—Well, I did, if that will do for you.

303. By the *Committee.*] Why did you not answer that question at first; you might just as well have told the truth at once as now?—Yes.

304. Mr. *Macnamara.*] You are here to tell the truth, upon your oath; and I will put this question to you; did not Firth say to you, "You have not got much"; and did you not say, "I have got seven sovereigns"; will you swear that you did not say so?—Yes.

305. Did you not say something to that effect to Firth?—No; I did not.

306. Now pray consider, Firth is here; I will give you time to consider as you have arrived at a positive answer with regard to the other questions which I have asked you; and I give you notice, that there are witnesses here whom we are going to call, and Firth is one of those witnesses: did you not say to Firth that you had got 7 *l.*?—No, I did not.

307. Will you swear that?—Yes.

308. By the *Committee.*] You will swear that, will you?—Yes.

309. Mr. *Macnamara.*] Just read this document which you have signed; just read those two lines at the bottom, and turn over the next page; recollect now, you signed that?—Yes.

310. I ask you now, having looked at that statement, signed by yourself, did you not say to Firth, "I have got 7 *l.*"?—No.

311. Did you state so to Mr. Clough's clerk?—Yes.

312. You only sell beer in your house?—Yes, only beer.

313. And what is the highest price which you get for your beer?—Sixpence.

314. A quart?—Yes.

315. And this was about half-past one in the day?—Yes.

Cross-examined by Mr. *Hannen.*

316. When was it that Mr. Clough's clerk came to you about this business?—After the election.

317. When; how soon after the election?—I cannot tell exactly, it might be a week or two.

318. Was it on the first occasion that he came to you, that you made this statement that I have now stated that you did?—No, there had been one coming to me every day nearly.

319. Had that same clerk been to you upon those several occasions?—No.

320. Who besides him had been?—A man of the name of Woodhouse.

The *Chairman* stated that he did not understand the Witness to say when it was that he made the statement.

Mr. *Hannen* stated that the Witness said "a week or two after the election."

321. Was it a week or two after the election that you made this statement to Mr. Clough's clerk?—I cannot tell you how long it was after the election. It might be a fortnight, or it might be three weeks.

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322. You say that they had been to you several times before; I will ask you who were "they"?—Woodhouse.

323. Who else?—There have been two or three parties. I did not know at all.

324. And what had they been to you for?—They said I had been bribed.

325. And what were they asking you to do?—To tell them what I knew about it, and I told them I knew nothing.

326. What had you told those persons before Clough's clerk came?—I told them nothing.

327. Had you told them that you had received a bribe, or had you denied it?—I had denied it.

328. Did Clough's clerk come more than once before he put down in writing what you said to him?—Yes.

329. How many times?—Twice, I think.

330. What did he come to you for?—He came to take my evidence down.

331. What did you tell him on the first occasion?—I told him I knew nothing at all about it. I told him I would not give evidence at all.

332. By the *Committee.*] You told him you would not give evidence at all?—Yes.

333. Mr. *Hannen.*] Did you tell him upon that occasion; did he ask you whether you had received a bribe?—Yes.

334. What did you say?—I told him I had not.

335. What more occurred on that occasion; did he offer you any inducement to confess that you had received a bribe?—No, he did not, but another man did.

336. Who was that?—Mr. Clayton.

337. By the *Committee.*] Who is Clayton?—A bookseller; a stationer.

338. Mr. *Hannen.*] Was he a supporter of Mr. Leatham's party; a Leathamite?—Yes, I believe he was.

339. Now, then, did you deny to him that you had received any bribe?—No, I did not.

340. Did you deny it; did you say that you had or had not received a bribe?—No; he told me that if I would tell him he would give me 20 *l.*

341. By the *Committee.*] Tell him what?—I told him I wanted the 20 *l.* first.

342. You wished to be paid in advance?—Yes; and he said he would not give 20 *l.* unless he knew whether my evidence was any good or not.

343. He would not give it unless he knew what your evidence was worth?—Yes. Woodhouse took me to his place.

344. Mr. *Hannen.*] Woodhouse took you to his place?—Yes, to his own book-shop.

345. To Clayton's book-shop?—Yes.

346. Did you make any statement there?—No; I told him I would not until he gave me the 20 *l.*

347. Was it after that that Clough's clerk came to you?—Yes.

348. You say he came to you more than once?—Yes.

349. On the first occasion, did he offer you any inducement to say that you had received a bribe?—No.

350. Just let us have it from you again; who was it that you say told you that if you would tell the tale he would get for you the 1 *l.* 10 *s.* for arrears?—Clough's clerk.

351. When was it; was it on the first occasion, or the second occasion, that Clough's clerk told you that he would get you the 1 *l.* 10 *s.*?—I signed that document upon that account for him to get me the 1 *l.* 10 *s.*

352. Was it on the same day that you signed that paper, and before you made the statement, that he promised to get it?—No, not when I made it; he brought it to me to sign it, and I signed it upon those conditions.

353. You say you have not got the arrears; have you got the arrears?—Yes; I had to enter it in the County Court.

354. By the *Committee.*] You have brought an action?—Yes.

355. Is it settled?—Yes; Woodhouse has paid it.

356. Mr. *Hannen.*] Now, you say that somebody was with Mr. Leatham; did Mr. Leatham himself canvass you?—Yes.

357. Do you remember when there was a requisition to Colonel Crosland to become a candidate for the borough?—Yes.

358. Was it before or after that requisition that you were canvassed by Mr. Leatham?—I do not know, I am sure.

359. Was it not after?—I was canvassed by both in one week, I believe.

360. You were canvassed both by Colonel Crosland and by Mr. Leatham in the same week?—Yes.

361. That must have been after the requisition to Colonel Crosland to become a candidate had been signed?—Yes.

362. Were you not one of the requisitionists to Colonel Crosland; were you not one of those who signed a requisition which induced Colonel Crosland to become a candidate for the borough of Huddersfield?—

Mr. *Temple* objected to the question, on the ground that the requisition would speak for itself.

The *Chairman* intimated that the Committee were of opinion that the matter was not of much consequence.

The *Witness.*] I cannot say whether I did or not.

363. Mr. *Hannen.*] You say you will not swear you were not one of those who invited Mr. Crosland to come forward?—I will not swear it; I might have done it.

364. You had promised them both, you say?—Yes.

365. At your beer-house on the day of the poll, were there a great number of persons in the place?—Yes.

366. How many?—One hundred and more.

367. Who were they?—I cannot tell.

368. Were they a party of Leathamites?—They were both parties.

369. Was there a great row there?—There was not a row; there was a good deal of bustle, and thrusting and pushing.

370. What was it all about?—All about nought.

371. Was there a difficulty in people getting in and out of your place?—Yes.

372. Did the police come to see what it was all about?—No.

373. Are you sure of that?—Yes.

374. Had you yourself made any effort to go away from your beer-house in the morning?—No.

375. Do you know at all what o'clock it was when Mr. Learoyd came down to you?—I think between one and two.

376. You

376. You do not know precisely what o'clock it was?—No.

377. Did you know at that time the state of the poll?—Yes.

378. That was known?—Yes.

379. At your beer-house?—Yes.

380. Was it known then that there was a considerable majority in favour of Mr. Crosland?—Yes.

381. A majority of 250?—Yes.

382. Were there many supporters of Mr. Crosland there?—Yes; both sides.

383. Were there any voters?—Yes; there was a voter for Mr. Leatham.

384. By the *Committee.*] One voter?—One.

385. Mr. *Hannen.*] Who was that?—He is a joiner, I believe.

386. When Mr. Learoyd came, had he any difficulty in getting into the room?—Yes.

387. Was he not mobbed by the Leathamites there?—Yes.

388. Did they endeavour to prevent him from coming in?—Yes; there was a good deal of pushing and thrusting.

389. I mean pushing and thrusting to prevent Mr. Learoyd from coming in, from getting up to you?—Yes.

390. Had some of these people, who were thrusting and pushing, sticks also?—No.

391. Are you sure of that?—Yes; I am certain.

392. Did you not see Mr. Learoyd struck?—I saw him pulled down the chamber steps.

393. Was that before he came up and had spoken to you?—No, I had been speaking to him in the back room.

394. You did not see him struck before he came up to you?—No.

395. Did he say openly, in the presence of all these people, that he had come to fetch you?—No.

396. What did he say?—He said that he wanted to speak to me privately.

397. Is that what you say he said in the presence of all these people?—He told me he wanted to speak to me privately.

398. When he came in, and you say there was thrusting and pushing, had he said anything?—Yes; he said "Bring some beer."

399. That you say is the first word he uttered?—He axed him if he was going to pay for some ale; and he said, "Bring some beer," and he brought a gallon of beer.

400. By the *Committee.*] Who brought a gallon of beer?—The waiter.

401. Mr. *Hannen.*] Did you say he did not say anything about what he wanted with you?—No; he said he wanted to speak to me.

402. Upon your oath, when somebody asked for beer, did not Mr. Learoyd say, "No, not one penny"?—Yes; he said he would not pay one penny.

403. By the *Committee.*] He ordered the beer, and said he would not pay for it?—When he ordered the beer they axed him for the money, and he said, "I will not pay one penny." The friend who was with him threw a crown piece down, and I gave him a shilling.

404. Mr. *Hannen.*] Do not you say they asked him for beer?—Yes, they asked him for beer.

405. And then he said, "Not a penny"?—He said, "Bring some beer, but I will not pay one penny." This friend said——

406. By the *Committee.*] Who was the friend?—George Lambert; George Lambert paid for it.

407. When did George Lambert pay for the beer?—Mr. Learoyd stood by the side of him.

408. Mr. Learoyd was present?—Yes, in the same room.

409. Mr. *Hannen.*] Did not Mr. Learoyd ask you, when he spoke to you, to come and vote for Mr. Crosland?—Yes; he said Mr. Crosland wanted to see me at the "George."

410. Did he not ask you to come and vote?—Yes; I told him I would be up directly.

411. Did you not give a reason why you could not come with him?—Yes; because I was not washed.

412. Did you not say it was impossible for you to get away then?—No; I said I was not ready for going; I said I was not washed.

413. What I ask you is, did you not give as a reason that it was impossible for you to get away then, because there was a lot of these rough fellows there?—No.

414. Did you not say that if he would go away these fellows would think he had failed in getting you to come with him, and that you would come presently afterwards quietly?—No.

415. Come, sir, did not anything of that kind occur?—No.

416. Why could you not go with him at once?—Because I was not washed; I was not ready.

417. You mean to say that was your only reason?—Yes; I did not want to go, because I knew I could sell plenty of ale if I did not go till the last push.

418. Was Mr. Marshall with Mr. Learoyd?—I do not know him.

419. Do you know a person of the name of Marsden; was he there?—I do not know him.

420. Do you know a person of the name of Brighouse?—No; there were two or three with him.

421. He came with two or three persons, but you do not know the names of any of those persons?—I know none, except George Lambert.

422. Was Timothy Flannagan there?—I know him, but I did not see him.

423. There were three or four persons who all came in with Mr. Learoyd; did they come up to you?—Yes.

424. Were they close by Mr. Learoyd during the time he was in the room speaking to you?—They might be close by him, but they were pushing and thrusting, and could not tell where he was.

425. There was pushing and thrusting as against them?—Yes.

426. While you saw them, did you not see they were close by Mr. Learoyd during the whole time he was in the room?—Yes, there were plenty there; there was a lot of women there; plenty of women.

427. Were they close to you while Mr. Learoyd was speaking to you?—What! on the top of the cellar stairs.

428. Yes?—No.

429. Who was there?—Nobody but him and me.

430. What do you say it was Mr. Learoyd said to you at the top of the cellar stairs?—He said Mr. Crosland wanted to see me at the "George."

431. That is what he said before, as I understand you?—Yes.

432. And he did not say anything else but that?—No; I told him I would go up directly.

433. Upon

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433. Upon your oath, is not that all Mr. Learoyd said to you?—Yes.

434. Is there the slightest foundation for the statement that you received any money from him?—Yes.

435. Is not that true?—Yes.

436. By the *Committee.*] What is true?—What he said to me.

The *Chairman.*] You had better put that question again.

437. Mr. *Hannen.*] Upon your oath, is it not the truth which you now state, that Mr. Learoyd did not give you any money whatever?—No, he did not.

438. Had you ever had any dealings with Mr. Learoyd before?—No.

439. Had you ever spoken to him before in your life?—No.

440. Have you ever spoken to him since?—No.

441. You say these people have been to you several times; since the election, and before these people had come to you, were you not charged by the police with allowing your house to be frequented by drunken and disorderly people?—Yes.

442. Were you not brought up before Mr. Crosland, the presiding magistrate?—Yes.

443. And were you not fined 5*l.*?—Yes; but I was as innocent as you are.

444. By the *Committee.*] When were you fined?—After the election.

445. Mr. *Hannen.*] Have you not stated that you would make that a dear 5*l.* to Mr. Crosland?—No.

446. Come?—Never.

447. Upon your oath, have you not said so?—No.

448. Have you heard your wife say it in your presence?—No.

449. Just reflect?—No.

450. Is your wife here?—Yes.

451. Have you not heard your wife say anything of that kind?—No.

452. Have you received anything else besides the 30*s.* you speak of for telling your story?—I have received 2*s.* or 3*s.* now and then.

453. Have you not received anything more than that?—No.

454. By the *Committee.*] From whom?—From Mr. Clough's clerk.

455. Mr. *Hannen.*] Have you not received anything from Clayton?—No.

456. Or Woodhouse?—No.

457. Have you not had presents from any of them?—Clayton promised me ——

458. What did he promise you?—He promised me 20*l.* if I would give my statement, but I would not give my statement; he said I might have 20*l.* before sunset that night.

459. You have made the statement?—Yes.

460. You expect to get the 20*l.*?—I made my statement because they said I should get 1*l.* 10*s.*, and then they did not give it me.

461. What did you receive with the Speaker's warrant?—A sovereign.

462. When was that?—When they served me with it.

463. When was that?—I do not know.

464. What have you received besides that?—I received a crown when I gave the evidence.

465. Where was it you gave this evidence?—In my back room.

466. You then and there received a crown from Mr. Clough's clerk?—Yes, and plenty of beer, as much as ever we could sup.

467. Besides that, what have you received?—That is all I received, nought else.

468. That is in addition to the 30*s.*?—Yes.

469. You have been very frequently in trouble, have you not?—Me.

470. Yes?—No.

471. That depends upon what you consider trouble; how many times have you been convicted of various offences?—About three times, I believe.

472. Might it be as many as nine times?—No.

473. Were you not convicted in 1860 of permitting gambling in your house?—Yes.

474. Were you not convicted a second time in 1860 of permitting gambling in your house?—No.

475. Were you not convicted in February, and in March?—Yes.

476. Of permitting gambling there?—No.

477. Were you convicted of assaulting Mary Ann Fisher?—Yes.

478. And also of assaulting Harriet Brady?—Yes.

479. And obscene language to Hannah Frith?—I settled that case.

480. And assaulting William Lodge?—Yes.

481. And permitting prostitution in your house?—I was convicted for it, but it was not proved.

482. Then there is the last conviction for drunkenness, in the case before Mr. Crosland, for which you were fined 5*l.* shortly after the election?—Yes.

Re-examined by Mr. *Temple.*

483. About how long after the election was it you were taken before Mr. Crosland and fined 5*l.*?—I do not know.

484. Give us some notion?—It might be a fortnight or three weeks.

485. Do not you know that your wife made a statement to Mr. Clough's clerk?—To Mr. Clough's clerk?

486. Yes?—She might have done; I know nought about it.

487. Then you do not tell me, I presume, whether your wife's statement was before your being convicted by Mr. Crosland?—No.

488. You do not know that?—No.

489. I said to Mr. Clough's clerk; but do not you know that your wife made a statement to Mr. Clayton before the time when you were taken before Mr. Crosland?—She might have made a statement.

490. Do you know it?—She might.

491. Did you learn from your wife —— ?—I do not know what my wife said.

492. Did you say that Mr. Learoyd, when he came into the room where all the number of persons were, said to you that Mr. Crosland wanted to see you at the "George"?—No, he did not.

493. Where was it he first said that?—At the top of the steps.

494. When you made the statement you say Mr. Clayton had promised you 20*l.*?—Yes.

495. And that you refused to give it unless you had the 20*l.* first?—Yes.

496. And that he wanted to see it before he paid for it?—Yes; he stated that he wanted to see whether my evidence was worth 20*l.*; he said it might not be worth 2*d.*

497. And

497. And you afterwards then gave it for 1 *l.* 10 *s.*?—Yes; to get my 1 *l.* 10 *s.*

498. Did I not understand you to say that Mr. Clough's clerk did not tell you he would get you the 1 *l.* 10 *s.* until you had made your statement?—He told me if I would sign that statement he would give me 1 *l.* 10 *s.*

499. Was that the first time he told you he would get you the 1 *l.* 10 *s.*?—No; he told me all along he would get it.

500. By the *Committee.*] Mr. Clough's clerk said if you would sign it he would get you the 1 *l.* 10 *s.*?—Yes.

501. Mr. *Temple.*] Had you not told Mr. Clough's clerk this story of yours before he ever promised to get you that 1 *l.* 10 *s.*?—Before he promised me.

502. Yes?—Yes; I told him.

503. You signed a paper?—Yes.

504. Had you not given him a statement before he promised to get you the 1 *l.* 10 *s.*?—He said he would see that I got it.

505. Had you not, before he promised to get you the 1 *l.* 10 *s.*, told him your tale?—Yes; he told me he would get it me.

506. The question I put to you is this, had you not told Mr. Clough's clerk your tale before he ever promised to get you that 1 *l.* 10 *s.*?—Yes; but I had not signed it, because they said they knew very well that I had been bribed.

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507. Attend to me. Did you not tell him the tale that you had received the 7 *l.* from Mr. Learoyd, before he ever promised to get you that 1 *l.* 10 *s.*?—Yes.

508. Then after you had told him that tale, I understand you to say (and you will correct me if I am wrong), that he said he would get you the 1 *l.* 10 *s.* if you would sign it?—Yes.

509. Now that 1 *l.* 10 *s.* you had to sue for?—Yes; because he did not get it me.

510. Did not Mr. Clough's clerk tell you he would see Mr. Hopkins, and endeavour to get it for you?—Yes.

511. You say that several persons—you said "they"—said you had been bribed?—Yes.

512. A number of persons were telling you that you had been bribed?—Yes; many a one.

513. When they told you that you had been bribed, did you tell them that you had been bribed?—I told them I had not, and they said they knew well that I had.

514. Mention one or two of those who said they knew that you had?—Jack Woodhouse.

515. Any other?—Yes; many a one came to me, but I did not know them.

516. By the *Committee.*] Who is Jack Woodhouse; is he a friend of yours?—He is a tailor.

MARGARET TINKER was called in; and, having been sworn, was Examined by Mr. *Temple*, as follows:

517. I BELIEVE you are the wife of David Tinker?—Yes.

518. He keeps the beershop called the "Turk's Head"?—Yes.

519. Do you remember the polling day at Huddersfield?—Yes.

520. Do you recollect Mr. Learoyd coming into your house on that day?—Yes.

521. About what time of the day did he come?—I am sure I cannot exactly tell.

522. Was it between one and two?—Yes; it would be about that time.

523. Your husband has said he was just coming out of the bar, do you recollect that?—Yes.

524. What said Mr. Learoyd to your husband when he met him just coming out of the bar?—He said he wished to have a bit of private conversation with him.

525. Where did Mr. Learoyd go?—He went into the back room, and out of that he was going upstairs.

526. He went into the back room first?—Yes.

527. Did you hear what took place in the back room?—He ordered a gallon of beer.

528. There were a great number of persons in that room, it has been stated?—Yes.

529. Do you remember your husband and Learoyd coming out of that room?—Yes.

530. Whither did they go in the first instance?—They went about three steps up to go up stairs.

531. Did you see any person pull them back?—Yes.

532. Who was it?—James Flannagan.

533. By the *Committee.*] You saw James Flannagan pull them back?—Yes.

534. Pull them both back?—Pull Mr. Learoyd by the lap of his coat.

535. You pulled them back too?—No.

M. Tinker.

536. Mr. *Temple.*] Was James Flannagan, a waiter, in your house that day?—Yes.

537. When James Flannagan pulled them back, where did they go to?—They went to the cellar-head.

538. When they went to the cellar-head, did you see Mr. Learoyd do anything?—No, I only saw them talking together.

539. Is that all you saw?—That is all.

540. Will you tell me whether you saw him give your husband anything?—No, I did not.

541. Is that your writing (*exhibiting a paper to to the Witness*)?—No, I cannot write.

542. Did you make a mark to a document?—Yes.

543. In point of fact, did not Mr. Learoyd put his hand into his trousers pocket to take something out in your sight?—Well, he had both hands in his pockets.

544. Did you see him take one of them out?—I saw him shake hands with my master.

545. He took his hand out of his pocket, did he?—Yes, but I do not think there was anything in it.

546. You saw him take his hand out of his pocket, and then shake hands with your husband?—Yes.

547. By the *Committee.*] When did he shake hands with your husband?—Just before he went away again.

548. Where were they?—At the cellar head, and he went straight out.

549. Were they alone?—No; my master did not go with him then.

550. Was any one standing near them?—Yes, there were a good many people by.

551. Mr. *Temple.*] At the cellar-head?—Only one man stood at the cellar steps.

552. Was

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552. Was that one of the Flannagans?—No, it was one of Mr. Crosland's party.

553. What is his name?—I do not know his name.

554. After Mr. Learoyd had gone away, did your husband produce any money to you?—Yes, what he had taken all the day.

555. What he had taken for ale?—Yes.

556. Was there gold among it?—There was gold, and silver, and copper.

557. Were there seven sovereigns?—No.

558. Will you swear there were not seven sovereigns?—Yes.

559. There were not seven sovereigns?—No.

560. Have you never said before that he shewed you seven sovereigns immediately after Mr. Learoyd went away?—There were seven sovereigns, but they were not in gold.

561. Have you not said that your husband showed you seven sovereigns as soon as Mr. Learoyd went away?—No, I did not say he shewed them to me.

562. Did he tell you then?—No.

563. Did he give them to you?—No.

564. Did you receive no money immediately after Mr. Learoyd went away?—No, only what we had taken for beer.

565. As soon as Mr. Learoyd went away, was it immediately afterwards your husband handed you some money?—Yes, when he had washed to go.

566. He wanted to go to the poll with clean hands, I suppose?—Of course; it would not do to go dirty.

567. Did not your husband give you seven sovereigns, and tell you to go and lock them up?—No.

568. Take care what you say?—I am speaking the truth.

569. He did not give you seven sovereigns?—No.

570. Have you ever said he did?—Yes, many a time.

571. By the *Committee.*] You have often said it?—Yes.

572. Mr. *Temple.*] Which was the truth; what you said before, or what you are saying now?—What I am saying now.

573. How came you to say on a former occasion, that your husband had given you seven sovereigns immediately after Mr. Learoyd went away, to go and lock up?—They were always coming to the house to bother us, and they would not believe us when we told them the truth.

574. They came to the house, saying your husband had been bribed?—Yes.

575. Then the story of the seven sovereigns was invented, was it?—Yes; they said we got them.

576. Who invented it; you or your husband?—Nay, they said it, and we did not.

577. And you swallowed it?—Yes.

578. They told you that you had been bribed with seven sovereigns?—Yes.

579. And so at last you said, "Well, we were"?—Yes.

580. You made a statement, did you not, to Mr. Clough's clerk?—Yes.

581. Do you remember your husband being fined 5 *l.* by Mr. Crosland?—Yes.

582. Had you not made that statement to Mr. Clough's clerk before your husband had been fined by Mr. Crosland?—No.

583. Was it afterwards?—Yes.

584. Was it in consequence of wishing to be revenged on Mr. Crosland that you made the statement?—No.

585. Had it any effect on your mind at all?—Not a bit.

586. But you made the statement to Mr. Clayton also, did you not?—Yes.

587. The statement you made to Mr. Clayton; was not that made before your husband was fined by Mr. Crosland?—Yes.

588. And you say that you made the statement to Mr. Clough's clerk?—Yes.

589. Did the statement which you made to Mr. Clayton, whatever it was, differ in any respect from the statement you made to Mr. Clough's clerk?—I am sure I cannot tell you.

590. Did it contain a statement about your husband receiving seven sovereigns; did you tell Mr. Clayton that?—Yes.

591. And you told him that before your husband had been before Mr. Crosland, and been fined?—Yes.

592. Had your husband and yourself some things in pawn on the polling day?—Yes, plenty.

593. Did you take them out of pawn the day after?—No, not the day after.

594. A day or two after?—Yes.

595. You took them all out of pawn?—No, not half of them.

596. You did take a good many of them out?—Yes.

Cross-examined by Mr. *Hannen.*

597. I suppose at election time you took a good deal more money than usual?—Yes, we did.

598. We have heard there were a great number of people, as many as 100, at the beer-house on the day of the election?—Yes, there would be.

599. And the night before, also?—Yes.

600. Were they drinking a good deal?—They were, I think.

601. Was there not great confusion at your house on the morning of the poll?—Yes.

602. A rough lot?—Yes.

603. Pushing and fighting?—No, there was no fighting.

604. Struggling?—Yes.

605. Was there difficulty in getting into the room; had Mr. Learoyd difficulty in getting into the room?—Well, people might follow in and out of the street.

606. By the *Committee.*] Had Mr. Learoyd any difficulty in getting into the room?—No.

607. Mr. *Hannen.*] There were several persons with him?—Yes.

608. And they all came into the room with him, and up to your husband?—Yes, and a good many came out of the street after him.

609. Do you know any of those; Henry Marshall?—I cannot say that I do.

610. I am now asking you as to those persons who came with Mr. Learoyd?—I cannot say that I do; I do not know any of them by name.

611. Were there gentlemen with him?—Yes.

612. Did they come up with Mr. Learoyd when he spoke to your husband?—They were with him.

613. Did they come up to that end of the room, and remain with Mr. Learoyd while he was speaking to your husband?—No.

614. Where were they?—There were some in the back room, and one stood with his hand on the stairstep to keep the crowd back.

615. And

615. And that was while Mr. Learoyd was speaking to your husband?—Yes.

616. Are the stairs (you say they were standing there) the way down to the cellar, that you are speaking of?—This is the bottom of the stairstep.

617. And it is the same spot where the way down to the cellar is?—Yes, just round.

618. Then one of Mr. Learoyd's friends was standing there keeping the crowd back, while Mr. Learoyd was speaking to your husband?—Yes.

619. Close by him?—Yes.

620. By the *Committee.*] Was it the stair you call the chamber stairs or the cellar stairs?—This was going down into the cellar.

621. Mr. *Hannen.*] Are not the stairs at the very spot where the way down to the cellar is?—Yes; that is the cellar-head.

622. Are not your premises so constructed that Mr. Learoyd and your husband and this friend, who was keeping the crowd back, could all be seen by all the persons in the room?—Yes.

623. What is the size of this room?—I cannot tell you, I am sure, what size it is.

624. The room in which they were?—They were not in the room.

625. There is nothing to separate one part of your premises from the other, is there?—Yes, there is a stairstep, but it is railed.

626. There is no partition, is there?—No.

627. That is, as you say, everybody who is standing in the place, where you state Mr. Learoyd and your husband were, could be seen by all the persons in the room?—Yes.

628. Probably you can tell me the names of some of the 80 or 100 people who were there?—I could tell a good many, I dare say.

629. Tell us one?—James Flanigan, Patrick Flanigan.

630. Was Timothy Flanigan there?—I did not see him; I was busy.

631. When was it that you put your cross?—I do not know what day it was.

632. That was after your husband had been convicted, was it not?—Yes.

633. Had you been asked before, by any one, to tell this story?—They used to come in the morning before I got out of bed.

634. Who were "they"?—I do not know; it was some of Mr. Leatham's party.

635. When you were asked whether your husband had received a bribe, did you state that he had not?—Yes, many a time.

636. When your husband had been convicted, and fined 5 *l.* by Mr. Crosland, did you not say that you would make it cost him many a 5 *l.*?—No, never.

637. Come?—Never.

638. Do you know Joseph Lockwood?—Not to my knowledge.

639. A hair-dresser?—No, I do not know him.

640. Do you know Styring's Spirit Vaults?—Yes.

641. Do you go there?—I have been many hundreds of times.

642. I ask you whether, after that conviction, you had not a conversation there about your husband having been convicted?—No.

643. Do you know James Tierney?—Yes, we are neighbours.

644. Had you a conversation with Lockwood and Tierney about your husband having been convicted;—Not to my knowledge; he knew it.

645. You will not swear that you had not a conversation with him on the subject?—Not that I am aware of.

646. Did you not then say that it should cost Mr. Crosland dear?—Not to my knowledge.

647. You must answer me better than that?—I will answer you if I can.

648. Could you have forgotten having said such a thing as that?—I never did say it, that I know of.

649. Why did you say not to your knowledge?—I never did say it.

650. I ask you whether you could forget having stated that it should cost Mr. Crosland many a 5 *l.*?—I did not say that.

651. What did you say about it?—I did not say anything about it.

652. You did not say anything about your husband being convicted?—No.

653. Or about 5 *l.*?—No.

654. I think you say you had conversation with Tierney about it?—No.

Re-examined by Mr. *Temple.*

655. You said that persons could see Mr. Learoyd and your husband together; where were you standing at the time?—I was in the bar.

656. You saw them then?—Yes.

657. Could persons in the back room see them?—No; not unless they came out of the back room.

658. Then only such persons as were in the bar could see them?—And in the lobby.

659. Did you say that 60 or 70 persons at that time could have seen them?—No.

660. Those persons who could see your husband and Mr. Learoyd were only those persons in the bar?—Yes; the same that went up the stairsteps.

661. Could you hear what passed between your husband and Mr. Learoyd?—I heard him say that Mr. Crosland wanted to see him.

Examined by the *Committee.*

662. You heard him say that?—Yes.

663. You say that you stated many a time that your husband had been bribed?—Yes; when they came and asked me, and would not believe me when I told them the truth, that we were not bribed.

664. To whom did you state many a time that you had been bribed?—Everyone that asked me.

665. To everyone that asked you, you said that you had been bribed?—Yes.

666. Did your husband give you any gold when he went away to vote?—I could not tell you what it was; it was mixed; there was copper and silver.

667. Was there any gold?—I believe there was.

668. How much money was there?—Between 9 *l.* and 10 *l.*

669. How much of that was in gold?—I do not know, I am sure, because I did not take notice.

670. Try and recollect?—I am sure I could not.

671. Try now and recollect?—It appears you will not believe me neither.

672. Try?—I cannot.

PATRICK FLANNAGAN was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

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673. ON the day of the last election, were you assistant waiter at Tinker's beerhouse?—Yes.

674. I believe you are some relation of Tinker's wife?—Cousin.

675. Do you remember, about one o'clock in the afternoon of that day, Mr. Learoyd coming to the house?—Yes.

676. Did you see him and Tinker go anywhere?—I saw them standing at the top of the cellar head.

677. Had you, just before they were at the cellar head, gone into the cellar to draw some beer?—No.

678. Were you coming up the cellar steps when Mr. Learoyd and Tinker were standing at the cellar head?—No.

679. Where were you when they were standing there?—In the bar.

680. What did you see take place between them, while they were at the cellar head?—I saw Mr. Tinker and Mr. Learoyd at the top of the cellar head, and Mr. Learoyd had hold of Mr. Tinker's hand, and he told him Mr. Crosland wanted to see him directly.

681. Did you see him put something into Tinker's hand?—No, I did not.

682. You have made a statement, have you not, to Mr. Clough's clerk about this matter?—That may be.

683. By the *Committee.*] Did you make a statement or not to Mr. Clough's clerk?—I was fresh when I did it.

684. Did you make a statement or not to Mr. Clough's clerk?—Yes, I did.

685. Mr. *Macnamara.*] Did you tell him that you saw Mr. Learoyd put something into Tinker's hand?—Well, I cannot say I did not; if I did, I would be fresh.

686. May you have said so?—I cannot say whether I did or no; I was fresh when I gave my evidence.

687. Do not you know that you did say so?—Well, I say, I cannot say what I did.

688. Do not you know that you did?—Well, I do not know what I did when I was fresh.

689. Did you not?—Yes, I expect I did.

690. Do not you know you did?—Yes.

691. The *Chairman.*] You must answer the questions?—Yes.

692. Mr. *Macnamara.*] After Mr. Learoyd had gone away, did you see Tinker give anything to his wife?—Why, no; I cannot say that I did.

693. Did you?—No.

694. You are on your oath; did you see him give anything to his wife?—I did not; I cannot say that I did.

695. On your oath, did you not see Tinker give something to his wife?—I did not.

696. Have you not stated to Mr. Clough's clerk, in the statement that you made to him, that you saw Mr. Tinker give his wife 7*l.*?—Well, I might have; but I would be fresh when I said it.

697. Have not said so?—Well, I was fresh when I said it.

698. Did you say so?—Well, yes.

699. Did Tinker then go away in a cab?—Yes.

700. After he went away in a cab, did you see Mrs. Tinker do anything?—No.

701. Did you see her lock up some money?—No.

702. Be careful?—See her lock up some money?

703. Yes?—She went up stairs and put the money in a drawer.

704. How much money did she put in a drawer?—I cannot say.

705. About how much?—I do not know.

706. Did you see it?—I saw him give her some money; I do not know what it was.

707. Have you or not said that you saw his wife put seven sovereigns into a drawer in a bedroom?—Not as I know of.

708. Do not you know that you have said so; you may as well tell the truth at once; have you not said that you saw her put the seven sovereigns into a drawer in a bedroom?—No.

709. Do you swear that you never said so?—I heard them saying so, but I did not see her put them in.

710. Do you swear that you never said you saw Mrs. Tucker put seven sovereigns into a drawer in a bedroom?—Yes.

711. Have you said so?—Yes.

712. At last you have said that you said that; was that true or was it false?—What?

713. Was it true or was it false?—Was it true or was it false?

714. Yes; was it true or was it false?—What do you mean?

715. When you said that you had seen Mrs. Tinker put the seven sovereigns into a drawer in a bedroom, was that true or was it false?—I heard them saying——

716. By Mr. *Temple.*] Heard whom?—I heard two or three people talking that she put the seven sovereigns——

717. Mr. *Macnamara.*] Did you hear Tinker say so?—No.

718. You told us just now that you have said that Mrs. Tinker put the seven sovereigns in a drawer in a bedroom?—Yes.

719. When you said that, was that true or was it not?—I heard people say——

720. Was it true when you said it yourself?—Was it true?

721. Yes?—I can only say as I heard other folks say.

722. Did you not make this statement; these are the words, and you put your own mark to the statement: "After Tinker had gone away in the cab I saw his wife put the seven sovereigns into a drawer in their bedroom;" did you not state that?—Yes.

723. You said you saw her put it away in a drawer; was that true?—I see Mr. Tinker give Mrs. Tinker seven sovereigns to put in a drawer.

724. You saw him do that?—Yes.

725. Did you then see her put them into a drawer?—I did not.

726. Then why did you say you did?—I say I saw Mr. Tinker give Mrs. Tinker seven sovereigns to put in a drawer; I did not state that I saw her put them into the drawer.

727. By the *Committee.*] You saw Tinker give his wife seven sovereigns to put in a drawer?—Yes; but I did not see her put them into the drawer.

Cross-

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Cross-examined by Mr. *Hannen.*

728. Do you mean to say that you saw seven sovereigns given by Tinker to his wife?—I mean to say that I saw Tinker give seven sovereigns to his wife to put in the drawer.

729. Where did Tinker, as you say, give his wife the seven sovereigns?—Why, just close by the bar.

730. Who was present then?—I did not see anybody, only Mr. Tinker and his wife and me.

731. How did he give them to her?—He pulled them out of his pocket, and gave them into her hand.

732. He pulled the seven sovereigns, you say, out of his pocket, and put them at once into her hand?—Yes.

733. What did she do?—She went and put them in a drawer, as far as I know.

734. Did she go straight off at once?—She did not go straight off at once; she stopped in the bar a bit, and then went up stairs; I did not follow her.

735. When she received whatever it was into her hand, what did she do with it?—She put it into her pocket.

736. How came you to say there were seven sovereigns?—What?

737. If all you saw is, Tinker take money out of his pocket and put it into her hand, and she put it into her pocket, how came you to say there were seven sovereigns?—I saw seven.

738. Did you see seven?—Yes.

739. Did you count them?—I saw them in her hand; I was not blind, and I could see, could I not?

740. How could you count that there were seven?—I could see what there was in her hand, could I not?

741. How could you see whether there were seven or eight or less?—Well, as near as I can guess, there were seven.

742. Then it is as near as you can guess?—Yes, as near as I could guess, there were seven.

743. Was there anything besides?—What?

744. What were the seven sovereigns in; were they in whole sovereigns or half-sovereigns?—Seven sovereigns in gold.

745. Were they sovereigns or were any of them half-sovereigns?—There might be some half-sovereigns and some sovereigns.

746. Besides seven sovereigns, was there any silver?—No; I did not see any.

747. Since you could count them, how many sovereigns were there, and how many half-sovereigns were there?—I cannot rightly say how many half-sovereigns; but, as near as I can guess, there were seven sovereigns.

748. Although you profess to say there were seven, you cannot tell me how many sovereigns or how many half-sovereigns?—No.

749. When did you first say there were seven sovereigns, or from whom did you hear anything about seven sovereigns?—Speak that over again.

750. When did you first say there were seven sovereigns?—When I was in the house, I saw Mr. Tinker give Mrs. Tinker seven sovereigns, saying, "Here are seven sovereigns to put in the drawer."

751. By the *Committee.*] You saw Mr. Tinker give Mrs. Tinker seven sovereigns, and told her to put them in the drawer?—Yes.

752. Mr. *Hannen.*] Do you say that you heard him say, "Here are seven sovereigns"?—He said "Seven sovereigns, and put them in the drawer."

753. When did you first tell that story, and to whom?—Well, I never told that story to nobody but Mr. Clayton and Mrs. Tinker.

754. Mr. Clayton is a bookseller?—Yes.

755. How came you to be talking about it to Mr. Clayton?—What?

756. How came you to be talking about it to Mr. Clayton?—To Mr. Clayton?

757. Yes?—The day after I went up and told about this.

758. To whom?—Mr. Clayton.

759. The day after the election?—Yes.

760. You volunteered it?—Yes.

761. You went up yourself of your own accord?—With Mrs. Tinker.

762. Where did you go to?—What.

763. Do not make me repeat the question?—Where did I go to? I came out with Mrs. Tinker, and went up to Mr. Clayton.

764. How came you to go there?—What?

765. I ask you how you came to go up to Mr. Clayton?—How came I to go up to Mr. Clayton? Well, I went up to Mr. Clayton to tell him, as far as I heard them say, about a bribe.

766. Whom did you hear say anything about a bribe?—I heard two or three people in the house talking about that they got 7 *l.*

767. Who were the two or three people?—Well, I cannot tell you the names, I do not exactly know them.

768. You cannot tell me any one?—I cannot tell you the names of the people.

769. You went up to Mr. Clayton the day after the election?—Yes.

770. When had you heard these two or three people saying that your master had had 7 *l.* as a bribe?—What?

771. When had you heard these two or three people saying that your master had had 7 *l.* as a bribe?—The same day, the day of the election.

772. How soon after Mr. Learoyd had been there, did you hear these people saying that Tinker had got 7 *l.* from him; you said it was the same day?—The same day.

773. How soon after Mr. Learoyd had been there, did you hear these two or three people saying this?—I heard them saying it after he had gone.

774. How soon after he had gone?—Half-an-hour or so.

775. Were they the same people who had been there when Mr. Learoyd was there?—The same people in the room, I expect.

776. But you cannot mention the name of one?—I cannot; they were strangers to me.

777. Having heard these people say that, within half-an-hour after Mr. Learoyd had been there, how was it you came to go to Mr. Clayton the next day about it?—How was it I came to go to Mr. Clayton the day after?

778. *Chairman.*] Yes?—I went to inform him about it.

779. Mr. *Hannen.*] What induced you to go up?—I went with Mrs. Tinker.

780. What are you looking round at Mrs. Tinker for?—I went with her.

781. I want to know how you came to go?—How I came to go?

782. Yes?—I went with her.

783. I want to know why you went?—To tell him all about it.

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784. Why should you want to tell him all about it?—To tell him what I had heard, and what I had seen.

785. Had anybody suggested to you that you should go, or was it entirely on your own accord that you went?—Yes.

786. Nobody having suggested that you should go?—No.

787. How came you to go to Mr. Clayton of all people in the world?—They told me to go there.

788. Who told you?—Mrs. Tinker.

789. Is that what you say?—Yes.

790. I thought you said you went with her?—Decidedly I went with her.

791. You said "they"; was there anybody else, besides Mrs. Tinker, who told you to go to Mr. Clayton?—Nobody else.

792. Why did you say "they" told you?—I said nobody went with us there but me and Mrs. Tinker.

793. Who did you mean told you to go to Mr. Clayton when you used the expression, "they told me to go there"?—Mrs. Tinker.

794. Who were "they"?—I mean Mrs. Tinker.

795. And nobody else?—Nobody else.

796. And you went with her?—Yes.

797. Let us understand what you say now; did you tell Mr. Clayton the truth or a falsehood?—What?

798. When you went, did you tell him the truth or a lie?—I believe I told him, as far as I can guess, the truth.

799. Did you tell him that you had seen Tinker receive some money from Mr. Learoyd?—No.

800. You did not tell him that?—No.

801. Is it the truth that you did, or did not, see Mr. Learoyd give anything to Tinker?—No.

802. Did you mention that to anybody before you mentioned it to Mr. Clough's clerk?—Did I mention that to anybody?

803. Before you stated it to Mr. Clough's clerk?—No, I did not.

804. Then you told Mr. Clough's clerk a lie as to that?—What! I told him a lie.

805. Yes?—No, I did not.

806. Did you or did you not tell him you had seen Tinker receive something from Mr. Learoyd?—If I did, I was fresh.

807. Then it would not be true, if you did?—It was not true, if I did say so.

808. Are you fresh now?—No.

809. You have been drinking?—A little.

810. How came you to tell that falsehood to him?—What, sir?

811. What was your inducement, or why did you tell that falsehood to Mr. Clough's clerk?—When Mr. Clough's clerk came, I had been drinking; I had been having beer, and had got fresh.

812. Who had paid for it?—Mr. Clough's clerk.

813. Did he come to you first and question you about this story?—What?

814. Did you hear what I said?—No.

815. Had he been to you to question you about this story when he gave you the beer?—Yes.

816. He made you fresh, then?—Yes.

817. And then put something down on paper?—Yes.

818. Can you write?—No.

819. Did you tell a story to Mr. Clough's clerk, or did he tell you what story he wanted you to tell?—Did I tell my story to Mr. Clough's clerk?

820. Yes; or did he tell you what story he wanted you to put your mark to?—No.

821. Which was it?—I told him my own story.

822. Did you tell him that you had seen Tinker receive something from Mr. Learoyd, or did you tell him you had not seen that?—Well, I may have said it; I say as I was fresh.

823. Had you ever seen Mr. Learoyd before?—Yes, many a time.

824. In the street?—I cannot say; I had seen him many times.

825. Where had you seen him?—At the Huddersfield Court-house.

826. You saw the gentlemen who came with Mr. Learoyd?—Yes.

827. Several of them?—There were not several of them who came with him.

828. How many were there?—There was only him and another; there were only two of them.

829. Do you swear that?—I swear that.

830. You are positive?—All I saw were two.

831. Did you see any one near Mr. Learoyd while he was speaking to Tinker?—Yes.

832. One of those who came with Mr. Learoyd?—Yes.

833. Standing close by?—He stood at about the distance from here to that table (*two or three yards*).

834. Close enough to hear everything that passed?—I should say so.

835. Had you your eyes upon Mr. Learoyd and Tinker during the time they were talking together?—Well, I was looking at them.

836. But you did not hear anything that was said?—No.

837. Not a word?—No.

838. Not a single word?—I did not hear anything that would pass, only that Mr. Learoyd had hold of his hand, and said, "Mr. Tinker, Mr. Crosland wants to see you directly."

839. That you did hear?—Yes.

840. And nothing else?—Nothing else.

841. How long were they talking together?—I cannot swear to that.

842. You can tell me whether they were longer talking together than it would take to say that?—It might be a little longer than that.

843. A minute, or something like that?—Yes.

Re-examined by Mr. *Temple*.

844. Then, I understand you to say that it is true that you saw Mr. Learoyd had hold of Tinker's hand?—Yes.

845. Is it true, that as soon as Mr. Learoyd went away you saw Mr. Tinker go and give seven sovereigns to his wife, and say, "There are seven sovereigns; go and put them away"?—Yes.

846. Was that just after Mr. Learoyd had gone?—It was half-an-hour or better.

847. Was it before he went to the poll?—Yes.

JAMES HENRY FIRTH was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

848. ARE you a French-polisher at Huddersfield?—Yes.

849. Do you remember on the polling day for the last election at Huddersfield, that you were in Mr. Tinker's beer-house?—Yes.

850. Do you remember seeing Mr. Learoyd there?—Yes.

851. Did you see Mr. Learoyd and Tinker at the top of the cellar stairs?—Yes.

852. When they were at the top of the cellar stairs, what did you see take place?—There was another man in a brown coat who put his foot across to stop me going in, and I stuck to Mr. Learoyd by his coat. At this time Mr. Learoyd and him, and Mr. Samuel Fox Wilson, the landlord of the house, came together. At first they were in another room; I saw him put his hand into his right-hand trouser-pocket, and pull something out; I did not see what it was; he gave it to Tinker, and I held him on the left-hand side by his coat, and he had one foot down one step. Tinker comes out, and he brings it out in his hand, and I see that there were sovereigns, and I says, "Oh, is that the way they are going to do"?

853. By the *Committee.*] You saw him put his hand into his right-hand trouser-pocket?—Yes.

854. And give something to Tinker?—Yes; then he talked to Tinker; they tried to pull me away, and Tinker and him turned round, and Tinker came out and Tinker put his hand in this way (*describing*), and I says, "Is that the way they are going to do"?

855. What did you see in his hand?—I see gold in his hand, and I said, "Is that the way they are going to do"?

856. Mr. *Macnamara.*] When you said that, what did he say?—I followed him on the staircase, Mr. Learoyd and him; and Mr. Learoyd called to Mr. Samuel Fox Wilson, the landlord of the house.

857. What did Mr. Learoyd say after this?—Mr. Learoyd called to Mr. Wilson, and then Mr. Learoyd said to him, "Come on; all's right."

858. By the *Committee.*] You heard Mr. Learoyd say to Mr. Wilson, "Come on; all's right"?—Yes.

859. Mr. *Macnamara.*] Did they then go away?—He was calling Mr. Wilson; I said, "Is that the way they are going to do"? He says, "Ah! you bloody fool, did I not tell thee I would go for them that would pay me most money."

860. Who said that?—Tinker; he says, "Go and tell your party I will go for you if you can get the same."

861. By the *Committee.*] Who was "your party"?—He sends me twice for a cab for Mr. Leatham.

862. You were a Leathamite?—I did not know particularly.

863. Mr. *Macnamara.*] When he said that he should vote for those who gave him most money, did you say something to him?—Yes.

864. What did you say to Tinker?—I says, "Is that the way they are going to do"?

865. Did he tell you how much he had?—I says, "How much hast thou got"? He said 7*l.*

Cross-examined by Mr. *Hannen.*

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866. Have you been drinking?—I have had a sup, the same as anybody else.

867. Do you understand what I am saying to you?—Yes.

868. I understand you to say, that you were kept back by somebody from going with Mr. Learoyd?—Yes; he tried to take him up stairs first, and a man named Flannagan pulled them down; and then he tried to get into the cellar, and he stood at the top of the cellar stairs.

869. Flannagan was pressing close to him?—Yes.

870. You also?—I do not know anything about him.

871. You were pressing close upon him, as I understand you, to get hold of his coat tail?—I had fast hold of him.

872. Did you hold fast?—I had hold of his coat when he was on the top of the stair step.

873. What sort of a coat was it he had on?—A thin coat, grey and brown mixed.

874. What sort of coat?—It was more like a sheet, to hang down without pockets; more like an over coat with pockets at the side.

875. You are quite sure you held on by him all the time?—I held on to him all the time after he came into that room; and he called for that beer when he brought the landlord of the house.

876. When the man tried to keep you back, I understand he tried to keep you back with his legs?—He put his legs across. Two females, my mistress and another, pulled him down, and I had hold of him.

877. Two females besides you?—Yes.

878. Although this man put his legs up, you held on fast?—Yes; I never let loose of him.

879. Were you reaching over or under the man's leg?—I stuck to it.

880. You must have had your hand either over or under the man's leg?—It was neither over nor under. We pulled his leg down.

881. Had you hold of Mr. Learoyd's coat, which you have described, the whole of the time he was standing at the top of the cellar stairs?—I never left hold of Mr. Learoyd after he came into the back room, him and Mr. Samuel Fox Wilson.

882. Mr. Samuel Fox Wilson was there also, was he?—Yes. I never left hold.

883. Who do you mean by Mr. Samuel Fox Wilson?—He is the landlord of the house.

884. I understand you to say, that while you got hold of Mr. Learoyd's coat, you saw him put his hand into his pocket?—No, I did not see Mr. Learoyd put his hand into his pocket until such time as I got to the top of the cellar head.

885. You had hold of his coat all the time he was standing at the top of the cellar stairs?—Before that. He wanted to go upstairs.

886. That was the first thing; and you say that Flannagan pulled him down?—Yes.

887. Then he went to the top of the cellar steps;—I followed him, and stuck to him at the top of the cellar-stairs.

888. Was it while you had hold of his coat that you saw him put his hand into his pocket?—It was at the top of the cellar stairs I saw him

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put his hands into his pocket, and Tinker was there.

889. You say you had hold of his coat all the while he was at the top of the cellar stairs?—He was only down one step.

890. All the time you were there you had hold of his coat?—Yes.

891. Had you hold of his coat when he put his hand into his pocket?—Yes, I had hold of his coat at the left hand side, and he put his hand into his right hand trousers pocket.

892. While you had hold of his coat on the left?—Yes.

893. There were other people there besides you, were there not?—Yes; but this other man who was holding his leg up kept them away. There were five or six there.

894. This man who held his leg up was keeping that crowd off?—Yes, as well as he could.

895. Were they trying to get hold of his coat, or to get hold of him?—I do not know.

896. Were they trying to get at him?—I do not know.

897. What was the name of the man who was putting his leg up?—They came together.

898. You mean these four or five people were altogether?—I do not know.

899. Were they pressing on so that they would have come to where Mr. Learoyd was standing if the man had not put up his leg to prevent them?—There was a room full.

900. Have you not said, within the last few minutes, that there were four or five other people pressing on until the man put up his leg?—I stated that there was my mistress and another woman, and another man, and this man who I do not know, that is John Healy is one, and another man I do not know, put his leg up, the man with a brown coat on, a mason, about 45 years of age.

901. Were all these people kept back by the man who put up his leg?—No; these people were pulling this man away that was holding me.

902. They were pulling the man?—Yes; they were pulling him away, holding me from getting to him; I had hold of Mr. Learoyd.

903. Then you saw Mr. Learoyd put his hand into his pocket?—Into his right-hand trousers pocket.

904. Did you see or hear any money?—I saw him give him something into his hand.

905. Did you see his hand?—He turned round, and then he turned away, and he put his hand in this way (*describing*), and I saw there was gold in his hand.

906. Did you see anything in Mr. Learoyd's hand?—No.

907. You were holding on all this while by his coat?—I saw him give him something, and I said, "Is that the way they are going to do it"?

908. That was after he gave the money?—Yes.

909. Did you see the money in Tinker's hand?—I saw him show something; there was gold in his hand.

910. What was it?—I did not see what money there was.

911. What did Tinker do with it when he got it?—I followed him, and as we were going, I said, "Is that the way they are going to do"?

912. I ask you what did he do with it?—He put it in his pocket.

913. Did he put it in his pocket?—Yes; after that he went into the bar to his wife.

914. Had you had then as much beer as you have had to day?—No.

915. To whom did you first tell this story?—I was waiting there for him with a cab, and I was sent down by the Working Men's Committee with a cab for him.

916. I ask you, to whom did you first tell this story?—I went on to the man at the desk at the Working Man's Committee, and reported it there and then.

917. To whom did you report it?—I do not know the man's name.

918. Have you not threatened Mr. Learoyd that you would make him tremble; have you called him names?—I never spoke to him since the election, until a month since, when I was going up to Mr. Bradley's office to settle a fine, and Mr. Learoyd said, "I shall want to know all the commitments you have against this man."

919. By the *Committee.*] Against whom?—Against me.

920. Who is Bradley?—The magistrate's clerk.

921. Mr. *Hannen.*] Did you call Mr. Learoyd a bloody thief?—I do not know what passed between him and me.

922. That might have passed?—Mr. Townend perhaps will tell you.

923. Did you walk up and down threatening him, and telling him it would be the worse for him?—Mr. Townend, the inspector of police, was there, and he will tell you better than me.

924. Did you use abusive language, such as I have mentioned, and threaten Mr. Learoyd?—He will tell you better what was said than I can.

925. Did you not repeatedly call out loud, attracting people's attention, calling him a b——y thief?—No; he followed me up the street, and I went up to Mr. Clough's office and told him.

926. Did you not then use that language?—I do not know that I did.

927. Did you not use that language, calling him a bloody thief?—I might; I cannot say.

928. You were fined a little while ago, were you not?—What for?

929. What was the fine you were going to settle?—Well, if you want to know, I am not going to tell you; but I am going to tell you a little bit more than you do know.

930. Do not wink at me, sir; what is it you are going to say; what were you fined for?—I do not know when I was fined.

931. The *Chairman.*] You must answer the question; what were you fined for?—

The *Witness.*] When? I do not know when I was fined.

932. Mr. *Hannen.*] You will not tell me what you were fined for, the last time that you were going to settle it?—I was going about business at Mr. Bradley's office; to settle business for other people.

933. Were you not convicted last March of keeping a bawdy house?—Yes.

934. Do not you keep it now?—There were two girls came out of the hospital, and they stopped at my house two nights.

935. Were you not convicted in January 1862 of breaking into a dwelling-house, and stealing 30 *l.*?—I was committed.

936. Were you not also convicted of assaulting George Beaumont?—I was tried, and acquitted.

937. By the *Committee.*] Were you acquitted?—Yes.

938. Acquitted of what?—I was acquitted of everything.

939. Mr.

939. Mr. *Hannen.*] But you were fined 10 *s.* and costs; is not that so?—For an assault.

940. Did you not state that you were convicted of keeping a bawdy house?—I was bound over to keep the peace 12 months.

Re-examined by Mr. *Temple.*

941. You were tried for keeping a bawdy-house?—Yes.

942. Did they bind you over to do so no more?—Yes.

943. Did they give you any punishment?—No.

944. My friend has asked you about stealing 30 *l.*; you say you were committed for that; were you tried for stealing 30 *l.*?—Yes; Mr. Learoyd was in the case.

945. You were acquitted, were you?—Yes.

946. Was Mr. Learoyd your attorney?—We had two; he was one.

947. Where was it; at York?—No, it was only in Wakefield. *J. H. Firth.* 24 April 1866.

948. At the sessions?—Yes.

949. And you were acquitted?—Yes.

950. Now, about having hold of Mr. Learoyd's coat; you said at first that you got hold of his coat as he was going up the stairs?—No.

951. When did you first get hold of his coat?—As he was going to the cellar head.

952. Had you hold of his coat while he was having the conversation, whatever it was, with Tinker?—Yes.

953. Were there any other persons near except yourself?—There was no one within four or five yards.

954. You were the nearest person?—Yes; I never let loose.

955. Was it a regular trial about the bawdy-house; were you tried before a jury?—No, only before the magistrate; I was bound over.

JAMES FLANNAGAN was called; and, having been sworn, was Examined by Mr. *Macnamara.*

956. ARE you a Plumber and Glazier at Huddersfield?—Yes.

957. Are you the father of Patrick Flannagan?—Yes.

958. On the polling day at the last election for Huddersfield, were you also assisting at Tinker's house?—Yes.

959. About one o'clock of that day, did you see Mr. Learoyd there?—It would be rather later than that.

960. Between one and two o'clock, did you see him there?—As near as I can guess; it was very thronged.

961. Do you remember seeing Mr. Learoyd and Tinker at the top of the cellar stairs on that day?—Yes.

962. While they were there, did you see anything take place, and, if so, what?—I saw Mr. Tinker have his hand on Mr. Learoyd's shoulder at the top of the steps.

963. Was it Tinker who put his arm round Mr. Learoyd, or Mr. Learoyd's arm round Tinker's?—It was Learoyd's arm round Tinker's.

964. What else did you see?—I had a gallon pitcher of beer in my hand.

965. What else did you see with regard to Mr. Learoyd?—I told him if he did not let him go with whom he had a mind, I should fling the pitcher of beer at him.

966. What then took place?—I came into the room with the gallon of beer among the company.

967. When Mr. Learoyd put his arm round Tinker what else took place, did you see anything more at that time?—No, I did not.

968. By the *Committee.*] Where were you when you said this?—I should be about a yard and a-half from him.

969. Were you below him on the stairs?—We were both on a level.

970. You had been in the cellar to get the beer?—Yes, I had to go down the staircase, and bring the beer into the tap-room; I was waiting on both rooms; it was very thronged, quite full, and I could scarcely get in or out.

971. Mr. *Macnamara.*] Did you hear what Mr. Learoyd said to Tinker when they were on the cellar stairs?—No, I did not.

972. Did you see him do anything with his hand?—Mr. Learoyd's hand?

973. Yes?—I did not see him do anything with his hand. *J. Flannagan.*

974. You did not see Mr. Learoyd do anything with his hand?—No.

975. Did you hear Mr. Learoyd say anything as he was going out to any one who was with him?—He said, "It is old Tinker"; and he should expect him to be up directly after him.

976. Did Mr. Learoyd then leave with somebody?—I saw him go out and parties following him.

977. Did you hear Mr. Learoyd say anything to any one with him when he was going out about Tinker; just recollect?—I heard him say, "It will be all right," or something as regards that.

978. To whom did he say that?—To the parties who were with him.

979. "It will be all right," was that it?—That will be about it, as near as I can say.

980. You have told us that Mr. Learoyd put his arm round Tinker's body; have you not said also that you saw Mr. Learoyd put something into Tinker's hand?—No, I have not.

981. Have you not said that?—No.

982. Did you not give a statement to Mr. Clough's clerk, which was taken down and signed by you?—There was a party who axed for a gallon of beer, and this gallon of beer was brought up, and I sent the party to Mr. Learoyd for payment.

983. Will you keep to the question; have you not said that you saw Mr. Learoyd put something into Tinker's hand when they were at the top of the cellar stairs?—No, I did not.

984. By the *Committee.*] Did you ever say that you saw Mr. Learoyd put something into Tinker's hand?—Not to my recollection; there was a good deal of beer going off; I was intoxicated, I was fresh; I might have said so; there was a gentleman they called Lambert, a plumber and glazier, and Mr. Learoyd would not pay for it, and this Mr. Lambert put a 5 *s.* piece down for the beer; Mr. Learoyd never paid anything that I could see.

985. Mr. *Macnamara.*] Look at that paper (*showing a paper to the Witness*)?—I cannot read.

986. Tinker went away soon after?—He went away in a cab.

987. After Tinker had gone away, did Mrs. Tinker

J. Flannagan.

24 April 1866.

Tinker show you anything she had in her hand?—She told me she had a very good day; she wished she had such a day every day; that she had seven sovereigns, that she was going to put them in a drawer up stairs.

988. Did she say who gave them to her?—She said her husband gave them to her.

Cross-examined by Mr. *Hannen.*

989. Did you see Mr. Learoyd all the time he was in the room?—I could not see him all the time.

990. Did you see him all the time he was at the cellar head with Tinker?—I was out of one room into another; and I would see him once or twice.

991. I want to know whether you saw him while he was at the cellar head?—I saw him at the cellar head, but how long I cannot say.

992. You saw him there; were you moved away by the crowd of people?—I was going out of the bar into the other room, and down into the cellar, and from one room to another.

993. What I want to know is, what prevented you continuing to see him when he was at the cellar head with Tinker?—There was a crowd: there were different rooms, sometimes the doors were shut, and at other times I could not get in or out for the crowd of people.

994. Were there crowds on both sides?—Both rooms were full.

995. Then, on the side where Tinker and Mr. Learoyd were, there was a crowd also?—There was.

996. Close upon them?—Close upon them.

997. Was it before they were at the cellar head, that you say you saw Mr. Learoyd's hand round Tinker?—Before.

998. Was it at the cellar head that you saw his hand round Tinker?—Yes, just at the top of the cellar head, about a couple of yards from the bar; I did not measure it.

999. Who was there besides at that time, when they were at the cellar head?—There was many a one that I could not tell you.

1000. Close to them?—Close to them.

1001. Was Firth there?—I did not notice Firth; there was a man they call Jos. Stringer, who got hold of Mr. Learoyd, and he pulled him back.

1002. Then Stringer had hold of Mr. Learoyd?—Yes.

1003. How had he hold of Mr. Learoyd?—He got him by the coat; he was fresh.

1004. Did he hold on long?—No; he wanted to pull him away from Tinker.

1005. And you threatened to throw the beer at him?—I did.

1006. What did you threaten to throw the beer at him for, and what was this man trying to get him away from Tinker for?—Tinker promised all the day he was going to vote for Mr. Leatham.

1007. You were all Leathamites?—All Leathamites.

1008. You were a Leathamite?—Well, I was that way.

1009. Was this man, who tried to pull him away, a Leathamite also?—I could not say for that. The man was fresh.

1010. I want to know why you were trying to pull him away?—It was nothing to do with me.

1011. Did you not hear anything said why they wanted to pull him away?—No.

1012. Were they trying to prevent his getting to Tinker?—Tinker had promised the party that was in during the morning, that he would go with Mr. Leatham; in fact, there were parties from both sides in, and the house was crowded.

1013. Were these people and you trying to prevent Mr. Learoyd getting to Tinker?—I did not prevent his getting to Tinker, but I wanted to get past into the cellar for beer.

1014. Did you go down into the cellar for beer?—Yes, several times.

1015. While Mr. Learoyd was there?—Yes, once while he was there.

1016. Was that while he was standing at the cellar head?—While he was at the cellar head talking to Tinker I was coming up with the gallon of beer in my hand.

1017. And passed them?—Passed them, and went into the other room, and came out again.

1018. As you passed them, did you hear anything said?—No, not when I was passing them.

1019. This cellar head is in the open passage, is it not?—It is a turning off from the open passage.

1020. There is nothing to divide it from the open passage?—No.

Mr. *Temple* stated that the evidence upon Tinker's case was concluded.

Mr. Thomas Heels Broadbent was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

Mr. T. H. Broadbent.

1021. I believe you are an Accountant at Huddersfield?—I am.

1022. And you were entitled to vote at the last election?—I was.

1023. I believe you had been an active supporter of Mr. Crosland from the beginning?—Yes.

1024. Had you attended the meetings of his supporters until about a month before the election?—Yes, I think I had about that time.

1025. I believe, about that time, your circumstances became rather embarrassed?—Yes.

1026. Did you, on that account, cease interfering in election matters?—I did.

1027. Do you remember, on the Monday before the election, meeting Mr. Joseph Cliff, junior, who is generally known as Joe Cliff, junior?—Yes.

1028. Was Mr. Cliff one of the committee of Mr. Crosland?—I think so. I met him previously on the committee, and he asked me when I met him, "Why don't you attend the committee as usual"?

1029. On the Monday before the election, he asked you, "Why don't you attend"?—He asked me why I did not attend the committee as usual.

1030. What did you say to that?—I gave him as a reason that my embarrassment, I thought, was a sufficient reason why I should abstain from attending on public business.

1031. What did he say to that?—I think he said something to this effect: "Well, I suppose you have complained to some members of our committee that you have not had employment while others have." "Well," I said, "I do not know that I have complained, but it is the fact."

That

That is, it was a fact, that I had not been employed.

1032. What did he say to that?—He said, "Well, you shall not lose by it." He said, "We will employ you, provided you stand true to your colours." I ought to have told the Committee, that when Mr. Crosland issued his address, some 9 or 10 months before, I signed a requisition calling upon Mr. Crosland to offer himself as a candidate. He asked me if I would stand to that requisition, which I had signed, and I said that was my intention, only my present position I thought would warrant me in keeping aloof from public business.

1033. He said to you that you should have employment, provided you would stand true to your colours?—He did.

1034. What did you say to that?—I said, "Oh, I think I shall stand true to my colours, as far as I can." He said, "If we have not employed you, we will make it up." He said, had I not had an overture from Mr. Leatham's committee; I said I had met two gentlemen at the lowside of the old market-place, who said that they knew I was not employed, and that if I would go to Mr. Leatham's committee, they would employ me.

1035. Was it after that he said that they could give you employment, if you stood true to your colours?—Yes.

1036. And upon that, what took place?—Upon that he gave me a 5*l.* note, and he said I was to meet him at seven o'clock, at the "Swan with Two Necks."

1037. Then, I believe, you went there at seven o'clock that evening?—I did.

1038. And while you were there, who came in?—Joe Cliff did not come in.

1039. Who did?—Alfred Woodhead came in.

1040. What did he say to you?—He said that Mr. William Henry Aston and Mr. John Brooke (they were two members of Mr. Crosland's committee), wanted to see me at seven o'clock, at Mr. Crosland's committee-room, at the "George Hotel."

1041. Was Mr. Crosland's committee-room at the "George Hotel"?—It was.

1042. I believe you went there upon his request?—I said, "I will be after you in five minutes;" and he went away. I said, "I will not go with you, but I will follow you there immediately."

1043. Then you went to the "George Hotel"?—I went to the "George Hotel."

1044. Where did you go when you got there?—When I got there, I went to the committee-room door, and I saw there Alfred Woodhead in care of the door, with another party of the name of Walker.

1045. By the *Committee.*] In charge of the door, you mean?—Yes.

1046. Mr. *Macnamara.*] What did you do; did you go into the room?—I went into the room; I asked a question and went forward.

1047. And in consequence of the answer, did you go into the room?—I did.

1048. Whom did you find in the room?—I found a great number; but amongst the rest I found William Henry Aston and John Brooke.

1049. Did Aston speak to you, and, if so, what did he say?—Yes; both Aston and Brooke spoke to me. They said between them, which precisely I could not say: "Well, have you seen Joe Cliff?" I, thinking they meant the messenger who had just fetched me, said, "No, you are mistaken; I have seen Alfred Woodhead." "Oh, yes," was the answer. "But have you seen Joe Cliff to-day?" I said, "Oh, yes, I have."

1050. What did they then say?—They said nothing more; but a third party, named Daniel Eastwood——

1051. Never mind what Eastwood said?—In consequence of what they said, I said, "I have got a fiver from Joe Cliff."

1052. Were Aston and Burke present when you said that?—It was in their hearing and presence.

1053. When you said you had got a fiver, was anything else said in their hearing and presence?—"All right."

1054. Who said, "All right"?—I believe all three; but I am sure it was said.

1055. Are you sure it was said in their hearing and presence, "All right"?—Yes.

1056. By the *Committee.*] Who said "All right"?—Precisely, I cannot say. All three said it; it was said amongst them.

1057. By one of those three?—By one of the three, or more of the three.

1058. Eastwood, Brooke, or Aston?—Yes; I could not tell which.

1059. Mr. *Macnamara.*] Had you anything to drink in the committee-room on that occasion?—I think I had a glass of brandy.

1060. Are you sure or not?—I am quite sure of that.

1061. Did you pay for it?—I did not pay.

1062. Was anything said on that occasion about your being employed?—Yes.

1063. State what that was?—They then said, "Have you any objection to be employed the three following days on the committee?"

1064. Which of them said it, according to the best of your recollection?—Well, I believe Mr. Aston, either Mr. Aston or Mr. Brooke; certainly not Mr. Eastwood.

1065. What did you say?—I said, I had not.

1066. Was anything said about payment?—Yes.

1067. What was that?—They said, "Of course you will be paid;" but no sum, or anything of that sort, was mentioned.

1068. Were you told to attend there again?—They said, "Well, attend here to-morrow, at 9 o'clock.

1069. Then I believe you went there the next day?—I went there the next day about half-past 9.

1070. What did you do there the next day?—The next day I went, and they placed me on the staff of clerks to put some cards and circulars in envelopes.

[Adjourned till To-morrow, at 11 o'clock.

Wednesday, 25th April 1866.

RIGHT HONOURABLE LORD NAAS, IN THE CHAIR.

The names of the Committee were called over:—All present.

Mr. THOMAS HEELIS BROADBENT, was again called; and further Examined by Mr. *Macnamara*, as follows:

T. H. Broadbent.

25 April 1866.

1071. WHEN the Committee adjourned yesterday, you stated that on the Tuesday before the election you went to the committee-room at the "George Hotel"?—Yes.

1072. Will you state, if you please, where the committee-room is situated, as you go in from the front of the hotel, which I believe is in St. George's Road; you went up a passage, did you not?—Yes.

1073. Where was the committee-room in reference to that passage?—The committee-room was on the right.

1074. Just round the corner?—Yes.

1075. Then, I believe on this occasion you were sent from this room to what is called the long room?—Yes, where the clerks met.

1076. Where was that?—It was to the left.

1077. And beyond the committee-room in the passage?—Yes, at the end of a long passage.

1078. Then you said, that you put some circulars into envelopes on that day?—Yes.

1079. Was that all that you did upon that day?—Circulars and cards.

1080. By the *Committee.*] What day was that?—Tuesday.

1081. Mr. *Macnamara.*] Then I believe you went there on the next day, which was the nomination day?—I did.

1082. Did you go to the long room then?—Yes, both rooms.

1083. Did you do anything there in the way of work, or business?—I did not. I asked Thomas Clay and Thomas Robinson, and they told me there was nothing to do.

1084. They told you that there was nothing for you to do?—No, and that I might sit down, and make myself comfortable.

1085. By the *Committee.*] On the next day you did nothing?—I did nothing.

1086. Mr. *Macnamara.*] Had you anything to drink on that day?—No, not on the second day; I think not.

1087. On the day of the election, do you remember some one coming to your house early in the morning?—Yes.

1088. Who was that?—His name was William Henry Swift.

1089. By the *Committee.*] Was that the day of the election?—Yes, in the morning at about five o'clock.

1090. On the nomination day?—No, the polling day.

1091. Mr. *Macnamara.*] And at his request did you leave your house with him?—Yes.

1092. I will ask you what did you do afte Swift came to your house, in consequence of what Swift said to you?—They had just taken a voter away by force. In consequence of what he said, I went up to the "Spink Nest Inn."

1093. Did you go with Swift?—Yes, I did.

1094. Who else went with you besides Swift?—My wife.

1095. When you got there was anything ordered; were any refreshments ordered?—Yes, Swift ordered breakfast for me and my wife.

1096. Did he say to whom it was to be put down?—He said to Crosland's committee.

1097. By the *Committee.*] Did he say that to you?—No, he said it to the landlady, in my hearing.

1098. At about what hour did you leave the "Spink Nest Inn" on that day, o'clock?—It was about a quarter past seven o'clock.

1099. In the morning?—Yes.

1100. Of the polling day?—Yes.

1101. Where did you go to then?—We went in a cab to the "George Hotel."

1102. Who are "We"?—Me and my wife.

1103. You went in a cab; what cab was it, I mean whose cab was it?—It had Mr. Crosland's name placarded on it.

1104 You say you went to the "George Hotel"?—Yes.

1105. When you got there, into what room did you go?—I went into the committee-room.

1106. Who did you find there?—It was nearly full of people; Mr. Crosland came in, and Mr. Learoyd came in, and others; there were a great many, I could not tell who.

1107. Did Mr. Crosland come in alone or with anyone else?—No, there was an old man of the name of Johnny Ratcliffe.

1108. By the *Committee.*] Did Mr. Crosland come into the room with Johnny Ratcliff?—They came into the room together; I do not know whether they came into the house together.

1109. Mr. *Macnamara.*] Is John Ratcliffe a voter for Huddersfield?—He is.

1110. After Mr. Crosland and Mr. Learoyd were in the room, just state, if you please, what took place?—Well, I got a glass of brandy and water, and John Ratcliff had a glass of brandy and water, and others did too.

1111. Did anyone ask you to take brandy, and whom?—Yes.

1112. Who did?—I think it was Mr. Learoyd; it might be Mr. Crosland, or it might be some one else. Some one said "Will you have one?" and I said "Yes."

1113. Was

1113. Was it while Mr. Crosland was there that this occurred?—Yes, it was while they were there.

1114. And you say that you saw several others get brandy?—Yes, Johnny Ratcliffe got a glass.

1115. Did you pay for what you had?—No, I never was asked.

1116. I believe you went and voted for Mr. Crosland?—I went out a few minutes before eight o'clock, and at a few minutes after eight I got to the polling booth.

1117. You voted for Mr. Crosland?—Yes, I did.

1118. After you had voted, where did you go to. Did you go back to the "George"?—Yes, I went back to the "George" on the polling day.

1119. And what room did you go into then?—I went into both the long room and the committee room.

1120. And did you have any more refreshments then?—I think not; I am not certain; I might have had some.

1121. On the next day, were you at the hustings at the time of the declaration of the poll?—I was.

1122. Then you went to the hustings on the Friday morning, and heard the declaration of the poll?—Yes.

1123. Did you hear Mr. Crosland say anything about his friends and supporters?—When the proceedings had terminated, he invited his friends into the "George Hotel."

1124. Tell us what you heard him say?—He hoped that all his friends would go into the "George Hotel" with him, and partake of a glass of champagne.

1125. By the *Committee.*] Where was that said?—From the hustings.

1126. Did he mention champagne from the hustings?—He mentioned champagne.

1127. Mr. *Macnamara.*] Were you one who accepted the invitation?—I went in along with them.

1128. Into what room of the "George" did you go?—Into the long room.

1129. About how many people were there when you got there?—The room was full; it will hold 200 people, and it was full. It was full. I think it will hold 200 people, but I do not know; I guess it roughly.

1130. What were they doing when you got there?—They were drinking champagne.

1131. By the *Committee.*] All of them?—Well, as far as I could see, every one of them.

1132. Mr. *Macnamara.*] Did you get some yourself?—I got some.

1133. How much did you get?—I got a glass first, and then three of us got a bottle to ourselves.

1134. By the *Committee.*] Three of you got a bottle to yourselves?—Yes, afterwards.

1135. Mr. *Macnamara.*] How did you get at the champagne in that bottle?—We could not draw the cork. We pulled hard at it, and then we knocked the neck off.

1136. While this was going on, did you see Mr. Crosland in the room?—In the early part of the proceedings he was there.

1137. Was that while the champagne drinking was going on?—Yes; the champagne drinking was going on then.

1138. About a week after the election, did you send in your account for your services?—I did send it in.

1139. What amount did you claim?—I claimed two guineas for two half-days.

1140. Had you done anything beyond what you have told the Committee in the way of services?—I put some circulars into envelopes.

1141. Had you done anything else?—Nothing more.

1142. By the *Committee.*] Was it two guineas for two days?—For two half-days.

1143. Mr. *Macnamara.*] I believe you were paid that two guineas?—Yes.

1144. By whom were you paid it?—By William Eaton.

1145. Who is Eaton. Is he the election agent?—Yes, for Mr. Crosland.

1146. By the *Committee.*] He had the payment of the election expenses?—Yes.

1147. And was the appointed agent?—Yes, the returning officer had appointed him.

Mr. *Hannen* stated that the amount would be found in the account furnished to the returning officer.

1148. By Mr. *Macnamara.*] Yesterday, when you stated that Job Cliff, junior, gave you a 5*l.* note, I do not think you told us what he said when he gave it to you?—Before he gave it to me, he asked me if I would stand to my former pledge.

1149. Did he say anything to you after he had given it to you?—He said, "I suppose you have complained——"

1150. You have told us that already?—Did he say anything else after that?—He said I was to meet him at the "Swan Inn."

1151. I want to ask you, if you please, with reference to these two guineas; during the time you were in the long room doing what you did, whom did you see from time to time coming in and out?—I could not say.

1152. Can you not give me some names of persons connected with the committee?—I saw the two chairmen, Terry Kay and Charles Brooke, but who was chairman I cannot say.

1153. Did you see Jno. Brooke from time to time?—Yes.

1154. William Henry Ashton?—Yes.

1155. Thomas Le Froga?—Yes.

1156. Job Cliff, jun.?—Yes.

1157. Mr. Fernside?—Yes.

1158. John Hy. Swiff?—Yes.

1159. Josiah Hodson?—Yes.

1160. Jno. Parrish?—Yes.

1161. Job Higley?—Yes.

1162. John Furness?—Yes.

1163. James Waller?—Yes.

1164. Dan Eastwood?—Yes.

1165. Henry Bentcliff?—Yes.

1166. John Coulston?—Yes.

1167. Mr. Wm. Crosland?—Yes.

1168. Charles Mitchell?—Yes.

1169. Joseph Richardson?—Yes.

1170. Joseph Hallowell?—Yes; Richardson was there then; he is dead now.

1171. Did you see those persons, the names of whom I have mentioned to you, going in and out?—Yes.

1172. In and out of which room?—Both rooms.

1173. They went out of the committee room and the long room?—Yes.

1174. During the time they were there?—Yes.

1175. Do you know whether those persons whose names I have mentioned, were on the committee?

Mr. *Rodwell* objected to the question, on the

T. H. Broadbent.

25 April 1866.

the ground that the names should be stated to the witnesses *seriatim*, and not put collectively.

Mr. *Temple* stated that he proposed to ask the Witness whether he ever saw them acting in that committee-room as a committee.

Mr. *Rodwell* objected to the question.

Mr. *Temple* stated that he would not press the question.

1176. Mr. *Macnamara.*] You swear that you saw them going in and out of the long room and the committee-room, while you were there?—They sat at the table, and some of them wrote, and some of them spoke; and they joined in the general business of the committee. That is all I know.

1177. Were orders given in your presence and hearing, as to what was to be done. Did you hear orders given?—Yes; I heard some orders, but I do not remember just now.

1178. By the *Committee.*] Do you remember who gave the orders as to what was to be done?—Generally the chairman of the committee, who presided for the evening.

1179. Which evening are you speaking of?—When I was there.

1180. Mr. *Macnamara.*] My question had reference to the time when you were about there?—The committee was not sitting in the long room.

1181. While you were there, did you hear orders given by the committee as to what was to be done?—The committee was not sitting in the long room. I went into the committee room, and they ordered me into the long room. I saw nothing of the committee after I went in there.

1182. Will you tell me this: Was Josiah Thomas one of those who went in and out?—Yes.

1183. And John Woodhead Crossland?—Yes, I think he was there; he went in and out.

Cross-examined by Mr. *Rodwell.*

1184. How many more names could you give me if you were to try?—Perhaps 20 more.

1185. Fifty?—A great many more.

1186. You could give me a great many more?—Yes.

1187. And you did the same as those persons you have mentioned?—More than these did as they did.

1188. What did you yourself do there two half-days?—The first half-day I put some circulars and voting cards in envelopes.

1189. You were sitting at a table, I understand?—Yes.

1190. And had papers and things lying about there for the use of the committee?—Yes.

1191. Who gave you your orders; the chairman?—John Brook and William Henry Ashton took me in the room, and told the secretary to the committee to set me to work, and he did so.

1192. And there were two or three others engaged as you were?—Yes.

1193. And they were accountants and clerks, I presume?—They were all clerks.

1194. On the following day, how long were you there then?—I was there from 10 in the morning, went out to the nomination, and then stayed in until four or five o'clock.

1195. What did you do that day?—I did nothing that day at all.

1196. What were you there for?—I was at their command.

1197. There was nothing to do?—No; all the circulars had been sent out.

1198. You were there to do any writing and any posting up that was required?—Yes.

1199. You attended there for that purpose?—I did.

1200. You gave them the use of your time?—I did.

1201. You are an accountant, I think you say?—Yes.

1202. Where do you carry on your business?—In Broad-street, Huddersfield.

1203. You have a house there?—Yes.

1204. At this present moment?—Yes.

1205. You carry on business there as an accountant?—Yes, I do.

1206. When did you first give any information with reference to this 5 *l.* note which you say Cliff gave you?—Well, I did not give the information at all. Cliff gave the information at the "Pack Horse Hotel."

1207. Were you present?—No; when I went to the "Pack Horse Hotel," I was told of it.

1208. When were you told of it?—That was in November.

1209. Was that while Cliff was alive?—Yes; I upbraided him for having told them.

1210. Who was present?—Many a one.

1211. Name one; there were many persons present you say?—There were many persons present.

1212. Now, attend to me. We shall get on much better if you answer my questions. Name me one person whom you say was present?—We spoke privately, but we were in a room full of company.

1213. I ask you to name anyone?—I cannot.

1214. Did you upbraid him more than once?—I did. He asked me repeatedly, whether I had got my subpœna after the petition was presented.

1215. Why did you upbraid him?—Because, when I went to the "Pack Horse Hotel," they told me that I had got 5 *l.*

1216. Why did you upbraid him?—Because, when I went to the "Pack Horse Hotel," they told me that I had got 5 *l.*

1217. Why did you upbraid him?—Because they told me that I had got 5 *l.*, and I denied it. I said I had not got the 5 *l.*, but I got 50 *l.* That is what I said, in order to stave it off.

1218. Then, you mean to say that it was not true that you got 50 *l.*, but you got 5 *l.*?—That was the answer they got. They said you did get 5 *l.*, and Job Cliff gave it to you near the Midland Bank, and when I saw Cliff I told him.

1219. Was it true that you had 50 *l.* or 5 *l.*?—I had 5 *l.*

1220. Given to you near the Midland Bank?—Yes.

1221. Upon what bank was that note payable?—On the Huddersfield Bank.

1222. Did you put your name upon the back of it?—No.

1223. Where did you change it?—I changed it at the "White Swan."

1224. When did you change it?—I do not know.

1225. Yes, you do, I think?—No, I do not know.

1226. Who changed it for you?—The landlord or landlady.

1227. What is the landlord's name?—John Balls.

1228. He

1228. He changed the note for you himself?—Yes.

1229. That you swear?—Yes; either him or his wife; it was changed in the house.

1230. Was it him or his wife?—I do not know for a certainty.

1231. Did you ever change a 5 *l.* note there?—Many a score; hundreds.

1232. Lately?—Yes.

1233. Within this year?—Yes; and more than that. This was not this year, but last year.

1234. Last year you changed several 5 *l.* notes at that house?—Yes.

1235. At that very place?—At that place.

1236. Did you say that it was after the petition was presented that you upbraided Cliff?—Yes.

1237. Many a time you did so, you say?—Yes.

1238. When was the petition presented?—I do not know; we talked about it; I do not know the date of the petition at all.

1239. You cannot tell me any one in whose presence it was said, or to whom it was known, that you had upbraided Cliff?—No; I considered that a private affair.

1240. By the *Committee.*] Is Cliff dead?—Yes.

1241. Mr. *Rodwell.*] When did you give information to the attorney on the other side, after you had upbraided Cliff, that you had received 5 *l.* from Cliff?—I do not know; I did not give the information; they had got the information from Cliff.

1242. You have made a statement; when did you make that statement?—That would be a month before the statement.

1243. A month before?—Yes.

1244. When did Cliff die?—I did not keep the date.

1245. About when; before or after Christmas?—It is since Christmas.

1246. Cliff has died since last Christmas?—Yes.

1247. When was it that you made this statement?—Before Christmas.

1248. Did you go, or were you sent for?—I was sent for many a time.

1249. Who sent for you?—I do not know who sent for me; I know who came.

1250. Then who came?—A person of the name of Joseph Woodhouse.

1251. Did you go with him to the attorney's office?—Yes.

1252. And there you made the statement which you have told us to-day and yesterday, with regard to the 5 *l.* note?—Yes.

1253. You say that Cliff was living at the time?—Yes; and he told me to deny it.

1254. He cannot be called now?—No; and I am sorry he cannot.

1255. By the *Committee.*] You say you went to the office; what office did you go to?—Mr. Clough's office.

1256. Mr. *Rodwell.*] Do you know a Mr. Hamhey, the assistant registrar to the county court?—Yes.

1257. Did you ever tell him that you never got one farthing from Cliff for your vote?—I told him in general terms that I never got anything for my vote.

1258. You told many people that?—I told many people that.

1259. That is so, is it?—Yes; I did not acknowledge it.

1260. Was that before or after you had upbraided Cliff?—I said I had got nothing for my vote.

1261. Was that before or after you had upbraided Cliff?—Both before and since. I have denied receiving anything to the public at large.

1262. I do not wish to put it too strongly to you. Now, you have been stating a parcel of falsehoods at Huddersfield with reference to this 5 *l.*, have you not?—I did tell them that I had not had it.

1263. And yet you upbraided Cliff publicly, as you have told us?—No, privately.

1264. Did you not tell me just now that you said it in the presence of a number of persons who were round you. It was in a public-house, with a lot of persons by?—Yes; but they did not hear what I said.

1265. By the *Committee.*] You said it privately?

1266. Mr. *Rodwell.*] With a good many people about?—Yes.

1267. Did you not upbraid him in the presence of a good many people?—They might have heard if they had been listening.

1268. And yet, after you had upbraided Cliff for letting this out, as you say, you went and told people that it was all a lie?—I denied it.

1269. Who did you tell; was Mr. Harper one of those gentlemen whom you told so; do you know Harper?—Yes.

1270. Did you tell him, "If you see Colonel Crosland, tell him that if his malignant opponents have no better evidence than I can give, he will be Member for Huddersfield as long as the Parliament lasts"?—No; I said that my evidence would not affect him, but I did not say anything about malignant opponents. I do not use such terms.

1271. Did you say to Mr. Harper that your evidence would not affect him?—I said it would not unseat him. I did not know anything about the others. I said that my evidence would not affect him.

1272. By the *Committee.*] You said that your evidence would not affect him?—Yes.

1273. To Mr. Harper?—Yes.

1274. Mr. *Rodwell.*] That was a fortnight ago?—It is more than that.

1275. May I ask you, do you know a person of the name of Leach?—Yes, I know several persons of that name.

1276. Richard Leach. I will tell you his Christian name, as there are so many of these Leach's?—I do not know him by his Christian name.

1277. Did you tell a Leach yesterday that you had got nothing to say that would hurt Mr. Crosland?—No, I did not.

1278. Did you not tell him that you had never received one farthing, and that you knew nothing to hurt Mr. Crosland?—No, I did not.

1279. Did you tell him that you had never received a farthing?—No.

1280. By the *Committee.*] When was this?—Yesterday.

1281. Mr. *Rodwell.*] Did you tell Hurst?—I told Hurst that I knew nothing about it. I was not going to be examined in the lobby by everybody who chose to ask me a question.

1282. No, it is here that you are to be examined;

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examined; and now you are being cross-examined?—Yes.

1283. Have you been in trouble at any time?—Yes, many times; I am in trouble now.

1284. You know what I mean; have you been in trouble many times before the magistrates?—Never.

1285. What?—Never but once.

1286. What did you say "Never" for; what was that for?—What was it for?

1287. Yes, that was my question?—Well, it was on a charge of making certain erasures in a cash book—three 10*s*.

1288. Is that the only time that you were had up before the magistrate?—I do not remember any other.

1289. By the *Committee.*] You do not remember any others?—Not myself.

1290. Do you recollect a little affair about some potatoes?—No, I was never up about any potatoes; there was a summons taken out, but they withdrew it; I put it in the hands of Mr. Learoyd, and they withdrew it.

1291. Having a summons is rather an awkward thing, is it not?—Yes, but they made an apology for that.

1292. By the *Committee.*] Made an apology for that?—Yes.

1293. Mr. *Rodwell.*] What had Mr. Learoyd to do with that summons about the potatoes?—I put it into his hands to defend me.

1294. From what?—To defend me upon a charge of stealing four potatoes.

1295. Was it this gentleman here?—It was done in his office.

1296. I thought you meant himself?—No.

1297. Do you know Mr. Platt, of the "Wellington Inn"?—I do.

1298. Have you had any difficulty about him?—Yes, I have; he was a mortgagee of some property of mine.

1299. You mortgaged some property which was mortgaged before?—No, that is not true.

1300. What was it, then?—I mortgaged some property, and he has taken it.

1301. What else?—Nothing else.

1302. Had you not, at the time, borrowed some moneys upon those same deeds of a man of the name of Angell?—No, they were separate pieces of property altogether.

1303. I put the question distinctly to you; did you not borrow money of Mr. Platt on the same property as you borrowed money of Mr. Angell upon?—No.

1304. Will you swear that?—I will swear that I did not; there were two separate deeds and two separate properties altogether.

1305. Coghill; do you know that name?—Yes.

1306. Was he the person to whom property was mortgaged first, and did he transfer it to Mr. Platt?—Yes.

1307. Mr. Platt was not much pleased about this affair?—Oh, yes, he was; I borrowed some money of Coghill upon a promissory note, and he said he would not lend me any more, and Mr. Platt said he would if I would transfer the deeds to him, and I did so; they are two separate properties altogether.

1308. When was it that you got into trouble about these erasures in the cash book?—I had lived with a Mr. Mulroyd.

1309. Were you in his service then?—Yes; it is 15 years ago.

1310. Now, I must go into this 5*l.* note again; you say that you changed several 5*l.* notes about this time at this public house?—Yes, several.

1311. You have done so?—Yes, several.

1312. Were you engaged in business at that time yourself?—I was.

1313. Not seeking employment?—No; I am in business yet.

1314. As an accountant?—Yes.

1315. Who were you employed by, and what were you employed as; are you employed occasionally?—I am employed occasionally as an accountant.

1316. And you have had employment of late?—Yes, and I have now.

1317. I will put this question to you; when you talk of these 5*l.* notes being changed in hundreds, are you not now preparing to pass through the Bankruptcy Court?—No, and I do not intend to do so.

1318. Have you done so?—I neither have done so, nor intend to do so.

1319. You have not petitioned the court?—No, and there are no preparations of the kind.

1320. There is no occasion for anything of the kind?

Re-examined by Mr. *Temple.*

1321. You say that 15 years ago there was something said about your having made an erasure in a cash book?—Yes, three 10*s*.

1322. What became of that?—I will tell you; the magistrates discharged it upon this ground: one of the erasures, when it was replaced, was added up, and it added up correctly in the same way as I had added it up. There was not a single 10*s*. wanted when it was added up together; and I have since found out that as to the other two 10*s*., it was the same thing; although there were erasures, there had been two additional figures put in to fill it up.

1323. I understand you to say that you were taken before the magistrates, and upon their examining into the matter, it was found out that they were erasures which had been properly made?—Yes.

1324. And they dismissed the charge?—Yes; and not only that, but I received 50*l.* as a compensation.

1325. From whom?—A friend of Adam Oldroyd; a copy of the writ was served upon him, and a friend of mine and his came forward and gave me 50*l.* by way of compensation.

The *Chairman* intimated that the Committee were of opinion that the explanation of the Witness was quite satisfactory upon this point.

1326. Mr. *Temple.*] You say that a person of the name of Hurst asked you some questions in the lobby yesterday?—Yes.

1327. Is he one of the Crosland party?—Yes.

1328. Is he with them?—Yes, he is with them.

1329. And was in the lobby?—Yes.

1330. He came to you, and began to question you?—Yes, he did.

1331. And he could not get anything out of you?—No, I would not talk to him about it.

Mr. Robert Thomas Robinson, was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

Mr. *R. T. Robinson.* 25 April 1866.

1332. You are a Returning Officer for the borough of Huddersfield?—Yes, I am.

1333. Do you produce the accounts?—The expenses of the last election for Huddersfield; I have them here.

1334. If you will just produce them, and leave them, that will be sufficient?—I will do so; do you want the expenses of the one candidate, or of both?

1335. You may leave them both?—Very well.

1336. By the *Committee.*] Are all these signed by the election agents?—They are the accounts of both candidates.

1337. And signed by the election agents?—Yes.

1338. The vouchers and bills are there also?—Yes, they are.

Mr. *Rodwell* stated that he desired it to appear upon the notes that Broadbent was among the clerks and assistants engaged in the matter of the election.

The *Witness.*] All the accounts that were delivered to me on both sides are there.

Henry Browne, was called in; and, having been sworn, was Examined by Mr. *Temple*, as follows:

H. Browne.

1339. Do you live at Huddersfield?—Yes.

1340. Do you remember the last election at Huddersfield?—Yes.

1341. About a fortnight before the election, were you lodging at the house of George Richardson?—Yes.

1342. He keeps the "Fly Boat" beer house at Apsly?—Yes.

1343. How far is Apsly from the town?—It is in the town.

1344. Do you know William Richardson, the father of George Richardson?—Yes.

1345. He had formerly kept that beer house, I believe?—Yes.

1346. And he having got into difficulties, his son was keeping it at that time?—Yes.

1347. I think you said that you were lodging at that house at that time?—Yes.

1348. Did William Richardson, the father of George Richardson, who kept the house, lodge there also?—Yes, he did.

1349. Do you know if William Richardson, the father, had a vote for the borough?—Yes, he had.

1350. Do you know William Mitchell?—Do you mean Charles William Mitchell?

1351. Yes, Charles William Mitchell?—Yes.

1352. About a fortnight before the election, do you remember his coming down to Richardson's house?—Yes.

1353. Did he go into the tap-room at first?—Yes, he went into the tap-room.

1354. Were there many persons in the tap room at the time?—Yes, there would be about 20 in there at the time.

1355. Did Mitchell do anything when he was in the tap-room?—Yes, he paid for a pint of beer for every man that was there.

1356. By the *Committee.*] How long was this before the election?—About a fortnight.

1357. Mitchell ordered a pint of beer for every man?—Yes.

1358. Tell us where is this public house; is it in the town?—Yes.

1359. It is in the borough?—Yes, it is in the borough.

1360. Mr. *Temple.*] Did Mitchell require those gentlemen who were drinking to say or do anything?—Yes, he asked them to drink success to Mr. Crosland's candidateship.

1361. And I believe you refused to do that?—I did.

1362. By the *Committee.*] You refused to drink success to Mr. Crosland?—I drank success to Mr. Leatham.

1363. Mr. *Temple.*] With Mitchell's beer?—Yes.

1364. That was rather unkind, was it not?—Richardson had asked me to drink with him.

1365. I believe you went from there to your work?—Yes, I did.

1366. Did you leave Mitchell in the house?—I left him in the house.

1367. I believe you were working across the way?—Yes, I was.

1368. About how long were you absent before you returned to Richardson's house?—Perhaps about 20 minutes.

1369. When you returned, did you find the people still in the room?—Yes, I did.

1370. Was Mitchell there also?—He was there also.

1371. By the *Committee.*] How many were there there at that time?—Perhaps 20.

1372. Mr. *Temple.*] Did you go out into Richardson's kitchen, and leave the tap-room?—Yes.

1373. I believe you went out to have your tea?—Yes.

1374. While you were having your tea, did anything occur. First of all, let me ask you, did the kitchen communicate with the tap-room?—Yes; there was a partition.

1375. Was the door partly open?—Yes.

1376. Did you see Mitchell take Richardson aside, or what did you see him do?—Yes, he took him on one side.

1377. Where did he come from, with reference to the door opening into the kitchen?—He came out of the tap-room into the passage.

1378. Just let me understand this; is there a door leading from the passage into the kitchen, and then a passage from the tap-room?—Yes.

1379. Did he come out of the door leading into the tap-room?—Yes.

1380. Was the door of the kitchen closed, or partly open?—It was partly open.

1381. Could you hear what Richardson said in the passage?—Yes; I heard them say that they would have a bottle of beer before they went away.

1382. When you heard them in conversation, did you listen, in order to hear what passed?—Yes.

1383. Tell us all that passed?—I tried to hearken to them, but I could not hear, because there was so much noise in the tap-room.

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1384. Did you hear anything at all?—I heard him say that he would pay for a bottle of beer before he went.

1385. Did you hear anything else?—I heard him say that he must vote for Mr. Crosland.

1386. By the *Committee.*] That is what Mitchell said?—Yes.

1387. Mr. *Temple.*] Did you hear anything else?—No, not at that time.

1388. That is all that you heard at that time?—Yes.

1389. Did you hear Mitchell say anything about a friend?—Yes.

1390. What did he say about a friend?—He said, if he voted for Mr Crosland, he could find him friends to start him in the coal business again.

1391. Now, I will take you to the nomination day; this was, as I understand you, about a fortnight before?—Yes.

1392. Do you remember, on the morning of the nomination day, seeing Richardson and Mitchell talking together?—Yes, I do.

1393. About what time in the morning?—Between 9 and 10 o'clock.

1394. Where were they talking?—Between Mr. Dewer's mill and Mr. Mitchell's mill.

1395. Where were they?—They were in the road.

1396. Where were you?—I was going up to one of those mills.

1397. To one of those mills that you have mentioned?—Yes, to Mitchell's mill.

1398. Was Mr. Mitchell the owner of the mill that you have spoken of?—No; his father.

1399. By the *Committee.*] You saw them talking together in the street?—Yes; in the road that goes betwixt the two mills.

1400. Mr. *Temple.*] While they were talking together, as you passed them to go up to Mitchell's mill, did you hear anything said?—I heard Mitchell say to Richardson that he was to go into the best room in the public house, and that he would come to him directly.

1401. On hearing that, what did you do?—I went round through the back-yard into the public house.

1402. Is that the "Fly Boat"?—Yes.

1403. You understood them to mean the "Fly Boat," by "the best room"?—Yes.

1404. Where did you go to yourself, when you got into the room?—I went into the best room, and I secreted myself.

1405. You did what?—I secreted myself in a shut-up bedstead that there was there.

1406. By the *Committee.*] You secreted yourself in a bed?—Yes.

1407. Mr. *Temple.*] Did the bedstead open with folding doors?—It opens with two doors.

1408. Was there any bed inside?—There was no bed inside.

1409. Was there ample room for you to stand inside?—Yes; and another besides me.

1410. Did you see both of them come into this room?—I saw them both come into this room.

1411. How did you arrange the door of the bedstead; was it quite closed upon you, or was it partly open?—I had it about three inches open.

1412. They both came in; did they sit down?—Yes.

1413. Was there anything ordered to drink?—Two bottles of beer.

1414. Were they brought up?—They were brought up.

1415. Did you see whether they were paid for, or not?—Yes, it was paid for.

1416. Paid for by whom?—By Mitchell.

1417. When they had sat down to their beer, what did you hear next?—I heard him say that if he would vote for Mr. Crosland, he would give him 3 *l.*

1418. You heard Mitchell say this?—Yes.

1419. What did Richardson say to that?—He said he would.

1420. What did Mitchell do?—He gave him the money.

1421. He gave him the 3 *l.*?—Yes.

1422. By the *Committee.*] Was this on the nomination day or the polling day?—This was on the nomination day.

1423. Mr. *Temple.*] Then, I suppose, that you remained until they had gone?—Yes.

1424. Then you came out of your hiding place?—Yes, after they had gone out.

1425. Did you hear anything more of Mr. Richardson on that day?—No, I saw no more of him on that day.

1426. Do you know Mr. Richardson?—Yes, he voted for Colonel Crosland.

1427. Had Richardson ever told you before that for whom he intended to vote?—Yes.

1428. For whom did he say he intended to vote?—For Mr. Leatham.

1429. How long before the day of the election had he told you that?—He told me that on the Sunday night before the election.

1430. The nomination was the Wednesday following, and the polling day was the Thursday?—Yes.

Cross-examined by Mr. *Rodwell.*

1431. What made you so anxious about the doings at the election; were you set to watch?—No, I was not set to watch.

1432. Not?—No.

1433. What made you jump into the middle of the bed in the middle of the day?—I wanted to see what was going to come off.

1434. Merely from your own curiosity?—Yes.

1435. That was it?—Yes.

1436. No one had told you to do this?—No.

1437. Are you sure of that?—Yes.

1438. You did it out of your own head?—Out of my own head.

1339. Will you be good enough to tell me whether this bedstead was in the corner of the room or against the wall?—It stood up against a door.

1440. How many doors are there in that room?—There are two doors.

1441. Opposite to one another?—There are three doors.

1442. Is it a large room or a small one?—It is a largish room.

1443. Where was the bedstead with respect to the door at which Richardson and Mitchell came in?—As they were coming in, it was at the right hand.

1444. Are there two doors to this bedstead, or one?—Two.

1445. And did you hold it in your hand while you were listening?—I pulled it to there, and then it stopped.

1446. It stopped?—Yes, until I came out.

1447. Were they in your right hand or in your left?—They were in both; they were in front of me.

1448. Do

1448. Do you mean to say that both the doors stood open, or that one lapped over the other?—Only one door stood open a little.

1449. You saw what was going on?—I saw through the door.

1450. You saw what was going on through a space of three inches?—Yes.

1451. On which side was Mitchell sitting?—They were sitting close together.

1452. On which side was Mitchell?—He was in the front.

1453. Was Mitchell on Richardson's right hand or his left hand?—They were both in the front of me.

1454. You and the short-hand writer are now in front of one another; were they in the same position?—Mitchell was, as it might be, here, and Richardson there *(describing it)*.

1455. That was on your right hand?—Yes.

1456. How long were they there?—About 20 minutes.

1457. They were there about 20 minutes?—Yes.

1458. Did they talk about anything else?—No, not particularly.

1459. What were they doing?—Drinking bottled beer, and talking about voting for Mr. Crosland.

1460. All the time?—Yes.

1461. For 20 minutes?—Yes.

1462. You have told us a very little of what you heard said; you say that he said he would give him 3 *l.*, and that he said that would do, and that thereupon he took the 3 *l.* out of his pocket and paid him. Is that all you heard about voting?—Yes, that is all I took notice of.

1463. How many feet were you from this man?—I should be about as far from here to that bench *(pointing to one of the side tables)*.

1464. You were there for the purpose of listening to what was said?—Yes.

1465. Just tell me what else you heard said besides this?—I do not know.

1466. You must know?—I heard them talk about the election all the time; that was all I heard them talk about.

1467. There was nothing particular that you heard, except about this money?—No.

1468. Which pocket did he take the money out of?—He took it out of his purse.

1469. Out of which pocket did the purse come?—He took it out of his right hand pocket.

1470. You saw him put his hand into his pocket?—Yes.

1471. Were they as near one another as that gentleman, who is writing, is to you?—They would be nearer than that.

1472. Were the chairs close together?—They were close together.

1473. Was there no table between them?—Yes, there was a table here.

1474. Did he count the 3 *l.* out?—Yes.

1475. Were there any other sovereigns in his purse besides these?—I do not know.

1476. Did you not look?—I could not look into his purse.

1477. You saw him pull his purse out of his pocket, and you saw the money in his hand?—Yes.

1478. And you saw him give money to the other man?—Yes.

1479. You saw all that, and yet cannot tell me whether there was any more money in his purse?—No.

1480. Tell me this; when was it that you first told any one of this?—It would be about three weeks or a month after the election.

1481. Who was it?—Mr. Clayton.

1482. Who is he?—He is a book agent; a printer.

1483. How came you to tell him?—I thought I would go up and tell him.

1484. Is he a friend of yours?—No, he is no friend of mine.

1485. How came you to go and tell Mr. Clayton this, about three weeks or a month after the election?—I thought I would go and let him know.

1486. Why did you think you would let him know more than any one else?—I do not know.

1487. You must know?—I do not know that I did know.

1488. Do you mean to swear that you do not know why you went and told Clayton?—No.

1489. I suppose it was merely accidental?—Yes.

1490. That you mean to swear?—Yes.

1491. Do you mean to swear that it was by accident you went to Clayton's and told him what you had seen?—Yes.

1492. When did you make up your mind to tell Clayton?—I made up my mind just before I started.

1493. Where does Clayton live?—He lives in Westgate-street.

1494. How far from where you live?—It might be about a mile.

1495. Had you known Clayton before?—Yes.

1496. What is he?—A stationer.

1497. Did any one tell you, or suggest to you, to go to Clayton?—No.

1498. That was all done of your own accord?—Yes.

1499. Out of your own head?—Yes.

1500. And you mean to say that you had not represented what you had seen about these 3 *l.*?—Never.

1501. You never said anything about it until you went and told Clayton?—No, I had never been to tell anybody else.

1502. At the time you saw this, or said you saw this, in whose service were you?—Mr. Robson's.

1503. Whose service had you been in before that?—Mr. Mitchell's.

1504. Had you been discharged from Mr. Mitchell's service?—No, Mitchell never discharged me.

1505. Who did; did Robson?—Yes, Robson did.

1506. That is his man?—No.

1507. He occupied Mitchell's mill?—He took it of Mitchell.

1508. Who are you working for now?—No one.

1509. How long have you been out of employment?—Not long.

1510. How long; as a matter of curiosity, I want to know?—About three weeks.

1511. Who has supported you?—I have supported myself.

1512. Have you had any money given to you?—I have had money out of my society of engineers.

1513. You have not had any money from the Leatham party?—No.

1514. Not even a halfpenny?—No.

1515. Not even your expenses?—I could not come up without that.

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1516. Did you have anything besides, to keep you?—Yes.

1517. How much have you had?—I have had 3 *l.*

1518. You were not quite right then, when you said that you did not receive any money. You recollected the 3 *l.* given to this man by Mitchell well enough. Why did you not recollect about this 3 *l.*?—I did not know that you meant that. I could have told you that if you had asked me.

1519. By the *Committee.*] £. 3 has been paid to you for what?—For my railway fare and keeping me up here.

1520. Mr. *Rodwell.*] After you told Clayton, who did you tell next?—I went to Mr. Clough's office.

1521. Why did you go there?—Because they sent for me.

1522. How long was that after you went to Clayton's?—Three weeks; I cannot say positively.

1523. How was it that you came to go to Clough's?—They sent for me to go.

1524. And then you made the statement you have made to-day?—Yes.

1525. Have you seen Mitchell about this?—Mitchell?

1526. Yes?—No.

1527. Have you told Mitchell that you saw him give Richardson this 3 *l.*?—I told him nothing.

1528. Have you spoke to Richardson about it?—Yes, we have talked about it.

1529. Has not Richardson denied it?—No; he said he would not tell anybody what he got.

1530. Did he begin the conversation with you, or you with him?—I began it.

1531. Did he not tell you, "What lies you have been telling about me"?—No.

1532. What did he say?—He said that he had heard that I had been watching him getting some money for his vote.

1533. Did he not tell you that it was a lie. He is not dead, is he?—If he is, he has died since Monday morning.

1534. Did not Richardson tell you that it was a lie?—No, he did not.

1535. What did he say?—He did not deny it.

1536. By the *Committee.*] What did you tell him?—I told him that it was true.

1537. Mr. *Rodwell.*] Was Richardson a friend of yours?—Yes, we had always been good friends.

1538. A fortnight before the election you seem to have been listening again in that passage, when the beer was given?—Yes.

1539. You cannot tell us more of what took place than you have told us?—No, I could not hear for the noise that was going on in the tap-room.

1540. Who let you in when you got into the bedstead in the best room?—I went in myself.

1541. You know that was the best room?—Yes.

1542. Was it a bed-room?—No, it was not a bed-room.

1543. Which floor was it on?—It was on the second floor—the floor above the cellars.

1544. Who was it that brought the bottles of beer into these two rooms?—Mrs. Richardson.

1545. How many times have you been examined on this matter; how many times have you been to Mr. Clough's office about this?—Once, I think.

1546. More than that, I think?—Well, I might have been more, but I do not know that I have been.

1547. Before you leave the chair, I want to ask you again whether you are quite sure that you did not mention this to anybody before you mentioned it to Clayton?—Yes.

1548. What was your motive in going to Clayton's?—I had no motive in going, except to tell him about it.

Re-examined by Mr. *Temple.*

1549. On this occasion, when you were in the public-house, you insisted on drinking to Leatham's success?—Yes.

1550. And, after this occurred, you went and told this to Mr. Clayton?—Yes.

1551. Did you know that Mr. Clayton had been very active in the election on behalf of Mr. Leatham?—Yes.

1552. You have stated that you first worked with Mitchell, the father, and then that Mitchell's mill was transferred to Robson?—Yes.

1553. You say that you were discharged by Robson?—Yes.

1554. Did I understand you to say, about three weeks ago?—Ihave worked at a place since then. It is about eight or nine months since.

1555. What did he discharge you for?—Because I had been getting some beer.

1556. By that do you mean that you had got "beery"?—No.

1557. You had been getting some beer, and they discharged you?—Yes.

1558. How long was Mr. Robson a supporter of Mr. Crosland?—No, he was not a voter at all; not for the borough.

1559. Mr. Robson complained of your getting some beer?—Yes.

1560. Is Mr. Robson a teetotaller?—Yes.

1561. Now, about the 3 *l.* given to you for your expenses?—Yes.

1562. Is that all the money that you have had?—That is all the money I have had.

1563. When was that given you?—It was given to me on Monday morning.

1564. Just before you started for London?—Yes.

1565. What have you done with it?—I have paid 15*s.* 3*d.* for the railway fare.

1566. Who is keeping you in London?—I am keeping myself.

1567. Out of the 3 *l.*?—Yes.

1568. How about your return?—I shall get my ticket to get home again.

1569. You have got 3 *l.* paid to you for your railway ticket, and to keep yourself with as long as you stay in London?—Yes.

Mrs. Mary Richardson, was called in; and, having been sworn, was Examined by Mr. *Macnamara,* as follows:

Mrs. *M. Richardson.*

1570. Are you the wife of George Richardson?—Yes.

1571. Who keeps the "Fly Boat" beer-house at Ashley?—Yes.

1572. And, at the time of the last election, was your husband's father, William Richardson, living in your house?—Yes.

1573. And

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1573. And was Henry Brown lodging in your house?—Yes.

1574. Had you a room in your house which you called "the best room"?—Yes.

1575. Do you remember the day before the election for Huddersfield?—Yes.

1576. Who came into your house and went into your best room?—Charles William Mitchell.

1577. And did any one go there to him?—My husband's father.

1578. William Richardson?—Yes.

1579. Did they have anything?—Yes; they had four bottles of beer.

1580. Those two alone?—Yes.

1581. What size bottles were they; were they pints?—No, gill bottles.

1582. They are small bottles containing a small quantity?—Yes.

1583. Who took the ale into the room?—I took it in.

1584. And who paid for it?—Charles William Mitchell.

1585. In that room had you a bedstead?—Yes.

1586. At that time?—Yes.

1587. What kind of bedstead was it?—It was flat at the top, and opened with two doors.

1588. Was there anything in the bedstead?—There was not that I know of.

1589. Any bedding?—No, there was not; you mean bed-clothes?

1590. Yes?—No, there was no bed-clothes.

1591. Was the bedstead large enough to hold you, if you had got inside?—I don't understand what you say.

1592. Was that bedstead large enough, if you had opened the doors and got inside?—Yes.

1593. It would hold you?—Yes.

1594. Have you tried?—Yes, I have tried it.

1595. Did you wear a crinoline at that time?—I went up to their house, and I took the bedding out and tried it.

1596. You found you could get in it?—I found that I could stand in, and I could shut the door, except about two inches.

1597. Dressed as you are now?—Yes.

1598. Was there any bedding in it on that day?—No, there was not; she got married.

1599. Your sister you are referring to?—Yes; she got married, and then they took it away.

1600. After the election, your sister was married and took the bedstead away?—Yes.

1601. And it is since then that you have tried whether you could stand up in it?—Yes.

1602. At the time it was in your house, you say there was nothing in it?—Yes.

Cross-examined by Mr. *Waddy.*

1603. Was it the sort of bedstead that is called a turn-up bedstead?—Yes.

1604. When these doors are shut, you shut up the part where the person lies in?—When I turn up the bedstead, I shut the doors and close it altogether.

1605. If a person is inside, he is in company with the part which is extended when a person is lying upon it; you turn it up?—Yes.

1606. When you had got in to make this experiment, did you get behind the sacking?—No, I was in front of the sacking.

1607. That was rather a funny position for you to be in, was it not?—I mean to say that when it was shut up, and the bed taken out, I could get in against the sacking, between the sacking and the door, as I understand you to say, that you could not shut the door quite.

1608. About two inches?—I should say about two inches.

1609. You were so close that the door was close against you?—Yes.

1610. Have you been to see the conjurer Stodare; it was something like the "basket trick"?—I stood on the bed.

1611. It was not a very comfortable position?—I stood comfortable while I was there.

1612. Would you like to stand in it for 20 minutes?—I was not in there for 20 minutes.

1613. Mr. Mitchell's works are close by?—Yes, his works are close by our place.

1614. Has he been in the habit of coming into your house there?—Yes, he has come in many a time.

1615. He comes in from time to time, and takes something?—Yes, he comes in; he very often has a small quantity of "bacca."

1616. And the work-people come there?—Yes, sometimes.

1617. Is Richardson, your father-in-law, here; is he up in town?—Not that I know of.

1618. Do you know whether he has been subpœnaed to come; has he had a Speaker's warrant to come?—I do not understand.

Examined by the *Committee.*

1619. Do you expect him to be in London?—No, I do not.

1620. Did you see Henry Brooks in the inn? In this room?

1621. No, in the inn; did you see him go in and out that day?—Yes; he came in and out many times during that day.

1622. During the time these people were there?—I cannot say that.

1623. You were down stairs at the time?—Yes; I was waiting on the people; we do not look much after our lodgers when they are in and out of the house.

Mr. *Temple* requested the Committee to ask the Witness whether there was a back entrance to the house.

1624. By the *Committee.*] Is there a back entrance there?—Yes, there is.

1625. There is a back entrance to your house?—Yes.

WILLIAM BOLLAND, was called in; and, having been sworn, was Examined by Mr. *Macnamara,* as follows:

W. Bolland.

1626. ARE you a fruit dealer and fishmonger at Huddersfield?—Yes.

1627. You know William Richardson?—Yes.

1628. Living at his son's beer-house?—Yes.

1629. And did you canvass him to vote for Mr. Leatham at the last election?—Yes.

1630. Did he or not promise to vote for Mr. Leatham?—He promised.

1631. He promised that he would vote for him?—Yes.

1632. Do you remember soon after the election him coming into your shop to buy some fruit?—Yes.

1633. What did you say to him about the way he had voted?

Mr. *Hannen* objected to the question being

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ing put, on the ground that they could not have the conversation which passed between the voter and a third party.

Mr. *Macnamara* stated that he would prove the act done first, and that the declaration would come afterwards.

1634. When he came into your shop, did he show you anything?—Yes, he showed me a sovereign.

1635. About how many days after the election would that be?—On the Saturday following the election.

1636. When he showed you that sovereign, what did he say to you?

Mr. *Hannen* objected to the question, on the ground that the sitting Member could not be bound by a statement made by a voter when they had not the opportunity of calling him, and that such a statement could not be allowed to prejudice them in any way.

Mr. *Temple* was heard in support of the question, and stated that the declaration was made at the time of the act done.

Mr. *Hannen* was heard in reply.

The Committee-room was cleared.

After some time, Counsel, agents, and parties were called in, and informed by the Chairman that the Committee had decided that the question might be put.

1637. Mr. *Macnamara.*] You say, on the Saturday after the election, William Richardson came into your shop and showed you a sovereign?—Yes.

1638. Tell us what he said on doing so?—He said he was paid for changing his opinions.

1639. Had you said anything to him that led him to say that?—Yes.

1640. What had you said?—I told him he was a man I could place no confidence in. I said, "You promised to vote for Mr. Leatham, and you have voted for Mr. Crosland;" he said, "I have not." I said, "You have, and I can prove it; I can show it you in print."

1641. What did he say to that?—He said, "Well, it is no use denying it;" he said, "You do not know all;" he said, "I was paid for changing my opinions;" and then he produced a sovereign from his waistcoat pocket.

1642. When he produced the sovereign, what did he say about it?—He said he was paid for changing his opinion, and produced the sovereign.

1643. After he produced the sovereign, what did you say?—I said such men as him ought to be sent out of the country, and then he left the shop.

1644. Did he state whether or not the sovereign was all that he was paid?—He did not.

1645. Did he say whether that was all?—He did not say whether it was all; he mentioned no more respecting the money to me.

1646. Before the election, had you seen Mr. Crosland canvassing?—Yes.

1647. Was that near your shop?—They generally came in a cab, and got out opposite my shop.

1648. Who was there canvassing with him?—I have seen Mr. Aston, Mr. Crosland, Mr. Charles William Mitchell; and I have seen Henry Wrigley meet the cab and accompany them, and another gentleman, whom I do not know.

1649. You have seen them meet Mr. Crosland when he came up in a cab, and then they went canvassing together?—Yes.

1650. Have you seen Josiah Thomas canvassing?—I do not know the gentleman.

Cross-examined by Mr. *Hannen.*

1651. How came you to have this conversation with Richardson?—This conversation?

1652. Yes?—He came into my shop to buy some fruit; I will not be certain as to fruit, but some trifling matter.

1653. What was the first thing he said to you?—I spoke to him first.

1654. What did you say?—I told him he was a man I could place no confidence in.

1655. Those were your very first words?—The very first words.

1656. What did he say?—When I said I could place no confidence in him, he said, "Why." I said, "You promised to vote for Mr. Leatham, and you have voted for Mr. Crosland."

1657. What did he say to that?—He said he had not; and I said, "You have, and I can show it you in print," or "I can show you proof;" I will not be certain whether I said "print" or "proof," or something to that effect.

1658. Go on, if you please?—He said, "Then it is no use denying it;" and he said, "You do not know all," and he took a sovereign from his waistcoat pocket and said, "I got paid for changing my opinions."

1659. Did he say, whether or not, that was what he was paid for changing his opinion?—He did not say what amount he had received, nor did he mention any other amount to me.

1660. Did he say he had received a sovereign?—He showed me a sovereign, and said he had got paid for changing his opinions.

1661. Then, in fact, he did not say anything about the sovereign; but you say that, at the same time, he said he was paid, he took a sovereign out of his pocket?—Yes.

1662. That is all?—Yes.

1663. That is all that occurred?—That is all that occurred; but he said he was paid for changing his opinions.

1664. When was this?—The Saturday after the election.

1665. Have you seen him since?—Many times.

1666. Have you had any further conversation with him about it?—No.

1667. What are you?—I am a fruiterer and fishmonger.

1668. Where do you live?—At a place called Apsley, in Huddersfield.

1669. You were an active supporter of Mr. Leatham, were you not?—I believe I was.

1670. Had you anything to do with Richardson before this?—Yes; I used to be in his employ formerly.

1671. What was he when you were in his employment?—A coal merchant.

1672. How came you to leave him?—I left him to commence business for myself.

1673. When was that?—Five or six years ago; I will not be exact to a month, but it is about five or six years ago.

1674. Have you had anything to do with him since that?—Not further than his passing and repassing, and purchasing what he wanted at my shop; and he does so at the present time.

1675. Was it before the election you saw Mr. Crosland?—Before the election.

1676. You

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1676. You saw Mr. Crosland with Mitchell?—Several times.

1677. Fix any one day; you have mentioned that several persons were with him, and therefore, I suppose, you have some particular occasion in your mind?—I have not the day in my memory; but it was several days before the election.

1678. Can you give us any dates when you first saw them together; when did you first see them together as you allege?—Perhaps it might be a week between the first and the second time.

1679. When was it you first saw him?—I cannot fix the time.

1680. You cannot fix any date whatever?—I cannot fix any certain day.

1681. Not by reference to any other event?—No.

1682. You cannot fix it in any way whatever?—I cannot fix the day of the month.

1683. Can you fix the place?—Yes.

1684. Where?—Opposite my house in Apsley.

1685. Did you see them more than once opposite your shop?—Yes, sometimes in a cab.

1686. Was it always opposite your shop you saw them?—I have seen them opposite my shop, and I have seen them lower down in Apsley.

1687. Sometimes in a cab?—They have sometimes arrived in a cab.

1688. Am I to understand you to say, you have seen Colonel Crosland and Mitchell in a cab together?—No; I have seen Colonel Crosland, Mr. Aston, and another gentleman arrive in a cab; I have seen Mr. Henry Wrigley and Mr. Mitchell join them in Apsley, and go on canvassing with them.

1689. Did they go in a cab with them?—When they arrived in a cab, they have met them at Apsley.

1690. I want to know whether those who were in the cab got out, or whether those who were not in the cab got into it?—Those in the cab got out, and they all proceeded together.

1691. You pledge yourself to having seen Colonel Crosland with Ashton, Wrigley, and Mitchell?—I do.

1692. Any one else?—Yes, there was another gentleman I do not know; perhaps there might be two that I do not know.

JOSEPH SMITH, was called in; and, having been sworn, was Examined by Mr. *Temple*, as follows:

J. Smith.

1693. I BELIEVE you live at Huddersfield, Four, Castlegate?—Yes.

1694. You are a Sawyer?—Yes.

1695. Were you a voter at the last election for Huddersfield?—Yes, I could give a vote.

1696. Do you know Thomas Dean?—Yes.

1697. Did he canvass you previously to the election; did he apply to you to vote for anybody?—He was after me, but he could not catch me.

1698. He did see you, did he not; you had a conversation with him?—Before the election?

1699. Before the election?—Yes.

1700. Did he request you to go anywhere?—No.

1701. Did he request you to act for Mr. Crosland in any way?—He wanted me to vote for Mr. Crosland, but I said I would not; I would vote for Mr. Leatham.

1702. Were you employed by Dean to do anything?—Yes.

1703. What were you employed for?—To go to the meetings for Mr. Crosland.

1704. Is that what they call a "Shouter"?—I do not know what you call it.

1705. What do you call it?—I got my money for going to the meetings.

1706. Were you employed by Dean at so much a day to do anything?—I was employed by Mr. Learoyd.

1707. What did Mr. Learoyd employ you to do?—To be a runner for him.

1708. What is a runner?—I do not know, I am certain; he gave me 10 *s.* a-day, and 1 *l.* for the last day.

1709. You were employed as a runner, but does a runner do anything but run?—A runner is to see that they do not run away with the other men.

1710. To see that voters do not run away?—Yes.

1711. You were employed as a runner?—Yes.

1712. What did you do for your employment?—I showed fair play for Mr. Crosland.

1713. How much were you to be paid for showing fair play for Mr. Crosland?—Ten shillings a-day, and 1 *l.* for the last day.

1714. How many days?—Four days.

1715. Do you remember the Monday before the election?—Yes.

1716. Did you go that day to the "George Hotel"?—Yes.

1717. Who went with you?—They took me there.

1718. Who are "they"; who took you there?—There was Dean and Gibson.

1719. Anybody else; did you see a person of the name of Thomas Reed there?—Yes.

1720. Was he one of those who took you?—Yes; he took my saw off my shoulder.

1721. You had a saw hanging over your back?—Yes.

1722. And these three persons came, and one of them took the saw off your back, and they took you to the "George Hotel"?—Yes.

1723. When you got to the "George Hotel," what did any of them say to you?—Well, Mr. Thomas Learoyd wanted me to give my vote, and I told him I had promised it to Mr. Leatham. He said, "Now, then, you are to have 5 *l.*, and we are not exact to a pound or two.

1724. By the *Committee.*] Who were you to vote for?—I was to vote for Mr. Crosland; I told him I would not.

1725. Learoyd said this?—Yes.

1726. Mr. *Temple.*] You have said that Dean, Gibson, and Reed took you to the "George Hotel"; where did Tom Learoyd come from to say this to you?—I do not know.

1727. Did you find him at the "George Hotel"?—Yes; he came in to me.

1728. When you were there, did you see whether he came into the house, or out of another room into the room you were in?—I was not watching.

1729. He said that you might have 5 *l.*, and they were not particular to a pound or two?—Yes.

1730. Did he give you any money at that time?—I got 10 *s.*

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1731. Who gave you the 10*s.*?—Thomas Learoyd gave me 10 *s.*

1732. By the *Committee.*] What day was that?—It was on Monday.

1733. Mr. *Temple.*] When he gave you the 10*s.*, did he say anything at the time he gave you the 10*s.*?—Yes.

1734. What did he say?—He wanted me to be a runner for them to protect them.

1735. Did you protect them; what did you do?—I went away; I could not stop.

1736. You got that 10*s.*?—I got that 10 *s.*

1737. And then you showed yourself a runner by running away?—Yes.

1738. Was that all you ever did for the 10*s.*?—I got that 10*s.*

1739. Did he ever give you the 5 *l.*?—No.

1740. However, he promised you 5 *l.* if you would vote for Mr. Crosland?—Yes.

1741. By the *Committee.*] Who did you vote for?—I voted for nobody.

1742. What did Learoyd say to you about the 5 *l.*?—He told me I was to have 5 *l.* or 6 *l.*, and they were not exact to a pound or two.

1743. Mr. *Temple.*] Did he say what you were to have that for?—For giving my vote for Mr. Crosland.

1744. Who did you vote for?—I voted for neither of them.

1745. By the *Committee.*] You did not vote at all?—No; I thought it was the best plan to have nothing to do with the party.

1746. Did you vote at all?—No, I did not.

1747. Did you act as a runner?—I should have done, but I ran away.

1748. Was that all the running you did?—That is all the running I did; I ran away in the morning.

1749. And did not vote either for Mr. Leatham or Mr. Crosland?—I voted for nothing.

1750. Mr. *Temple.*] Had you anything to drink on that day at the "George" when you got the 10*s.*?—I had a glass of ale, I believe.

1751. Who ordered it?—I am sure I cannot tell exactly.

1752. Did you order it yourself?—No.

1753. Was it some of those who were present who ordered it?—Some one did; I did not order it.

1754. Did you pay for it?—No, I did not pay for it; it was paid for already.

Cross-examined by Mr. *Hannen.*

1755. You do not mean this Mr. Learoyd?—I mean his brother Thomas.

1756. He was called Captain Learoyd?—Yes.

1757. I understand you to say that he employed you as a runner?—Yes; and to give my vote for Mr. Crosland.

1758. Let us deal with the two things separately. Did he employ you to act as a runner?—Yes.

1759. Did you say you would act as a runner?—Yes, I told him I would be there; and I told him I should give my vote for Mr. Leatham.

1760. By the *Committee.*] Did you tell him you would act as a runner for Mr. Crosland?—No.

1761. Mr. *Hannen.*] You told him you would be there; that is, when he asked you to act as a runner?—Yes; I told him I should give my vote to Mr. Leatham.

1762. That is at the same time you told him you would be there?—No; I did not tell him that.

1763. What did you mean by using those words, "I told him I would be there"?—Did I say so?

1764. Yes, you did; what did you mean by those words that you told him you would be there?—I told him I should be there; but I should be there to give my vote for Mr. Leatham; that is what I told him.

1765. Was that when he gave you the 10*s.*?—That was after he gave me the 10*s.*

1766. Was it at the same interview when he gave you the 10*s.*?—No, it was after.

1767. It was after you got the 10*s.*?—Yes.

1768. When you got the 10*s.* at that same conversation did you tell him you would be there, but that you should vote for Mr. Leatham?—I told him I should be there and vote for Mr. Leatham.

1769. You can answer me whether it was at the same time you got the 10*s.*; whether you had gone away and met again; or whether it was while you remained together?—It was on the same day; he wanted to pay my fare to go to work.

1770. On the same day you got the 10*s.* at the same place; where was it you got the 10*s.*?—At the "George Inn."

1771. Was it at the "George Inn" you said you would be there, but that you should vote for Mr. Leatham?—Yes.

1772. How was it you did not vote for Mr. Leatham?—I thought I would have nought to do with them; I went away out of the town.

1773. How was it you came to go away out of the town after having promised not only to vote for Mr. Leatham, but having exhibited your virtue by declaring to this gentleman that you intended to vote for him?—Because I got too much drink, and when I came back I could not stand up to give my vote.

1774. By the *Committee.*] That is the reason?—Yes.

1775. Mr. *Hannen.*] Do you say it was before this Mr. Thomas Learoyd had said that you should have 5 *l.*?—Yes.

1776. On the Monday before the election at the "George"?—Yes.

1777. Deane, Gibson, and Read, I understand you to say, were present?—Yes.

1778. Any one else?—There was Gibson and Reed.

1779. Were they all present, and did they hear what Captain Learoyd said?—He told me that I must be a runner for him.

1780. I am now asking you about the time that Thomas Learoyd said he would give you 5 *l.*, and they were not particular to a pound or two. Who was present and heard that conversation between you?—Well, I do not know that there was any one about. He came outside and talked to me.

1781. Came outside where?—The "George Inn."

1782. Outside the inn altogether?—Yes.

1783. In the street?—Yes.

1784. Was any one with you?—No.

1785. Nobody else present?—No; I left my mate outside, but he was too far away from me.

1786. Then you say this conversation passed, and that not a soul else could hear it?—No.

1787. "Not particular to a pound or two." What did you say to that; did your virtue resist the

the offer?—I told him that I was going to give my vote for Mr. Leatham.

1788. When did you first tell this story to any one about Captain Learoyd having made this offer to you?—Two days afterwards.

1789. To whom did you mention it?—I do not know; it was to the company where I was; I did not take any notice of them.

1790. Where?—In the "Fleece" dram-shop, opposite the old church.

1791. When did you give your evidence to the other side?—I never gave mine.

1792. Have you not been examined by anybody; has not Mr. Clough's clerk been to you?—Yes.

1793. When was that?—Three months since.

1794. Did you go to him, or did he come to you?—There was a party came to me.

1795. Who was the party?—I do not know, I am sure; I took very little notice of them.

1796. Do you mean by the "party" one person or more persons?—I am sure I speak the truth, and I do not know exactly now.

1797. Do not you know whether it was one or more persons?—There were three or four of them.

1798. You cannot tell me the name of any one of them?—Not at present.

1799. Was Woodhouse one?—I believe he was.

1800. There are two Woodhouses, I believe; were they both there?—I do not know.

1801. Was Clayton of the party?—No.

1802. Was it after Woodhouse and the party had been to you, that Mr. Clough's clerk came, and took your examination?—I am sure I do not exactly know; I took very little notice of them.

1803. You can tell me whether it was before or after?—It would be before, I believe.

1804. Who was at the "Fleece" dram shop when you say you told the story?—There was Thomas Rawlinson, who keeps it.

1805. Is he a Leathamite?—I believe not.

1806. Anybody else?—No, I cannot say there was.

1807. Do you know the "York Hotel"?—Yes.

1808. Is it kept by Mr. Taylor?—I am sure I do not know.

1809. Were you there last Sunday?—No.

1810. When were you there last?—I have not been there, I do not know when.

1811. Did you see Mr. Taylor, whether you saw him there on Sunday, or whenever it was; when did you last see Mr. Taylor?—I do not know a person of that name.

1812. Do you know the person who keeps the "York Hotel"?—No, I do not.

1813. The beer-house?—I do not know him.

1814. Do you know the "York Beer-house"; Jim Taylor, you probably know him better by that name?—I do not know him.

1815. Did you tell him that you would break Mr. Crosland?—Never a word.

1816. To him, or anybody else?—I did not say a word about Mr. Crosland.

1817. Did you have any conversation with him at all?—I do not know where it is.

1818. Did you say to him, or to any other person whatever, that you would break Mr. Crosland?—No. It is not my business to say it out like that.

1819. Have you had any grievance against Mr. Crosland?—No.

1820. And you have never said so?—No.

1821. You have been in a good deal of trouble, have you not; you have been convicted of various offences?—That has nothing to do with it.

1822. What have you been convicted of, and what was the last occasion?—Me, sir! nothing.

1823. Was your last conviction for harbouring prostitutes in your house?—No.

1824. Will you swear that you were not, on the 26th of November 1864, convicted and fined for harbouring prostitutes in your house; come, remember?—I cannot remember that day.

1825. Do you remember the fact?—It is all right.

1826. It is all right that you were convicted?—No.

1827. Were you charged with it?—Well, I paid the fine.

1828. Was not that the third time you had to pay a fine for a similar unfounded charge?—I paid it for nothing.

1829. It was the third time you had to pay it for nothing?—The third time, sir.

1830. Have you not been three times before magistrates, and have you not been convicted three times for the same offence, of harbouring prostitutes?—No.

1831. Do not trifle with me. You have just this minute said that you have been convicted?—No answer.

1832. By the *Committee.*] Have you paid the fines three times?—I have paid the fine.

1833. How many times?—Twice.

1834. For the same offence were you fined twice?—No; once it was for fighting.

1835. Mr. *Hannen.*] Were you not fined 5*l.* on one occasion, for harbouring prostitutes, and on another occasion 20*s.*, and on another occasion 20*s.*?—I do not know.

1836. You will not swear you were not?—I do not know that I was.

1837. You will not swear that you were not?—No answer.

1838. Upon your oath will you swear that you had not to pay a fine for harbouring prostitutes on three separate occasions?—I will swear that I paid it twice.

1839. Your brother has also been prosecuted for the same offence, recently, has he not?—That has nothing at all to do with it.

1840. Did not this Mr. Learoyd prosecute him on that occasion, at the sessions?—I do not know; I know nothing about it.

Re-examined by Mr. *Temple.*

1841. How often have you been fined for harbouring prostitutes?—Twice; and I had nothing at all to do with them.

1842. Was it at the sessions?—No; it happened in Huddersfield.

1843. Who was it fined you, the magistrate in Huddersfield?—Yes, they fined me, and I paid the fine.

1844. What had you done?—I had done nothing.

1845. What did they say they fined you for?—I do not know.

1846. Had you any women at your house?—I had one or two, that is a sure thing; I had my wife and another girl, that is all I had.

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1847. Did any other women ever come to the house for the purpose of prostitution?—No; I would not allow it.

1848. Did they try to come?—Yes.

1849. And you would not allow it?—No.

1850. Did you ever say to anybody that you would break Mr. Crosland?—No.

1851. Did you ever have any quarrel with Mr. Crosland?—I have had nothing to do with Mr. Crosland in the world.

1852. How long is it since you were last fined?—The party fined me twice.

1853. How long ago?—Two years since.

1854. You were asked by my friend when you first gave the information to Mr. Clough's clerk, and you said three or four persons came to you, did those persons come and ask you to go to Mr. Clough's clerk, or to tell you that Mr. Clough's clerk was coming to you, or what for?—They were not coming to me at all.

1855. You said three or four persons came to you first, before you saw Mr. Clough's clerk?—They met me.

1856. After they met you, was it in consequence of something they said, that you went to Mr. Clough's clerk, or did Mr. Clough's clerk come to you?—I went to Mr. Clough's clerk.

1857. Was it in consequence of what this party who met you said, that you went to Mr. Clough's clerk; did they say something to you, and did you thereupon go to Mr. Clough's Clerk?—It made nought to me; I went on my own foundation.

1858. You say you had got too much to drink on the polling-day, and did not poll; where did you get that drink?—Oh, at different places.

1859. Will you mention some of them?—No; I cannot mention them.

1860. At whose expense?—At my own.

1861. At your own expense?—At my own expense and Learoyd's; he gave me 10 *s.*, and I spent that.

Examined by the *Committee.*

1862. Did you spend it all in drink?—No.

1863. You did not spend it all in drink?—No.

THOMAS GIBSON, was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

T. Gibson.

1864. ARE you a Carrier, at Apsley, in Huddersfield?—Yes.

1865. Were you entitled to vote at the last election?—Yes.

1866. Do you know Thomas Dean, of Huddersfield?—Yes.

1867. Do you remember his canvassing you for Mr. Crosland; coming to ask you to give your vote for Mr. Crosland?—No.

1868. Do you remember his speaking to you about your voting?—He axed me who I should vote for.

1869. What did you say?—I said I should tell no one till the day.

1870. Did you say any more to him about your voting?—No; I cannot say that I did.

1871. After that, do you remember on the Monday before the election, Dean calling on you?—Yes.

1872. Did he ask you to go anywhere?—Yes, to the "George."

1873. Did he say whether any one wanted to see you there, and if so, who?—Yes; he said Mr. Crosland wanted to see me.

1874. Did you go with him to the "George"?—Yes.

1875. When you got to the "George," who did you see there on that occasion?—I saw a man called Robinson, and one they called Learoyd.

1876. Captain Tom Learoyd, you mean?—Yes; I believe it was.

1877. Was Mr. Tolson, your landlord, there at that time?—Yes.

1878. Did you see him there?—Yes.

1879. When you saw them, who spoke to you?—I cannot say exactly, who spoke to me now.

1880. What was said to you?—Well, they said Mr. Crosland wanted to see me, that was all.

1881. I think you were asked to go there again at two o'clock?—Yes.

1882. At two o'clock, did you go again to the "George"?—Yes.

1883. Who went with you at two o'clock?—I believe Dean went.

1884. Who else?—I think Smith.

1885. Joseph Smith?—Yes.

1886. The man who has just gone out of the room?—I do not know his name is Joseph Smith.

1887. A sawyer?—Yes.

1888. He was a voter too, was he not?—Yes.

1889. When you got there at two o'clock where did you go to; what part of the "George" did you go to?—Well, I believe I went into the back yard.

1890. Who did you see there when you went at two o'clock, or did any one come to you?—Yes, I saw Mr. Learoyd and Robinson.

1891. By the *Committee.*] In the back yard?—Yes.

1892. Mr. *Macnamara.*] Did you see Mr. Tolson?—Yes.

1893. When they came to you in the back yard, state what took place?—They said Mr. Crosland had not come.

1894. Go on?—They said they required my assistance to help; I told them I was engaged with a flitting job (removing furniture) at Manchester, and could not go.

1895. When you said that, what did they say?—They said I must get some one else to do it if I could. I promised I would let them know on the Tuesday at night.

1896. Where was it that conversation took place, when they said they wanted somebody to help them?—At the "George" back yard.

1897. Who was present at the time that was said, or who said it to you?—There was Tom Learoyd and Robinson.

1898. Were you altogether when that was said?—Yes.

1899. Were you told where and what you were wanted for?—Yes.

1900. What were you to do?—A message carrier.

1901. I think you said you would give them an answer the next evening?—Yes.

1902. Did Thomas Dean come and say anything

thing to you?—I cannot recollect. We were together that night.

1903. Soon after this conversation, did Thomas Dean give you anything?—No.

1904. Did you receive half-a-crown from anyone?—Yes, from Thomas Dean; but not on that night.

1905. When was it?—It was before that night. I cannot say exactly now; but it was not on that night.

1906. That was the first time you went up to the "George"; when was it you received that half-a-crown from Dean?—I cannot recollect.

1907. How long before that night was it, do you think?—I could not tell exactly, but I did get one half-crown from Dean; that is all.

1908. What did he give it to you for; did he say?—No.

1909. What did he say it was for?—He said, "You take this half-crown, and spend it in what you have a mind."

1910. You told us that Dean asked you to go up to the "George"?—He came to my house for me to go there.

1911. And he asked you whom you were going to vote for?—Yes, but I did not tell him.

1912. Can you tell us when it was he gave you the half-crown?—No, I cannot.

1913. Was it on either of those times?—I cannot exactly say when it was.

1914. According to the best of your recollection?—I cannot tell you exactly, to tell the truth; and I am not going to tell anything else.

1915. Were you talking about the election when he gave it you?—It was at the time it was on, but I do not recollect the time.

1916. At the time what was on?—The time the election was on; I do not know what day it was.

1917. Do you remember going to the "Fleece" dram shop on this same day?—I do not often miss a day when I am at home.

1918. Did you go there the same day that you went to the "George"?—I might or I might not; it is a place I regularly go to when I go anywhere.

1919. Do you remember any one paying for drink for you at the "Fleece" dram shop, and if so, who was it?—Nobody paid for drink that I know of.

1920. Now, on the Tuesday, did you go up to the "George Inn"?—Yes.

1921. Whom did you see then?—I saw Mr. Tolson.

1922. What did you say to him?—I told him I had got a man to do my job.

1923. When you told him you had got somebody to assist to remove the furniture, what did he say to you?—He said I must give them a helping hand.

1924. As what?—As a message carrier.

1925. Was anything said as to what you were to receive for being a messenger?—No.

1926. Nothing?—No.

1927. Were you told what you were to do beyond that?—They gave me a card, and put my name down in the book.

1928. Have you got the card they gave you?—No.

1929. Look at that card, and tell me if it was a card like that (*handing the same to the Witness*)?—Not exactly like it. There was "message carrier on it;" it was larger than that.

1930. Had you to give up the card you received before you got paid afterwards?—No; I never gave it up.

1931. You have not got it, you say?—No.

1932. After you had agreed with Mr. Tolson to act as messenger, did you go out from the "George"?—Yes.

1933. Who did you go out with?—I went out with Dean and a lot more to watch that night.

1934. About what time did you go out to watch?—Between seven and eight o'clock.

1935. Until what time did you watch?—About two o'clock in the morning.

1936. How did you watch?—I kept walking up and down streets. We walked from the "Spotted Cow" up to the railway station.

1937. What did you walk up and down streets for?—I do not know exactly; the same as other folks, to see they were not taking any one.

1938. About how many of you were of that party of watchmen?—Either seven or eight of that lot.

1939. Were you told you were to be a watchman as well as a messenger?—Yes; I could have pleased myself whether I would be a watchman or not.

1940. On the next Wednesday, the nomination day, do you remember being in front of the "George"?—Yes.

1941. Who was with you?—Many a one that day.

1942. Was Thomas Reed with you there?—I believe he was.

1943. Do you remember Josiah Thomas coming up to you there?—Yes.

1944. What did Josiah Thomas say to you?—He said he would bet me a sovereign to a shilling that Mr. Crosland did not get in.

1945. Did he make any other bet with you?—Yes.

1946. State what other bet he made with you?—He would bet me a sovereign to a shilling that I did not vote for Mr. Crosland.

1947. By the *Committee.*] Another sovereign?—Yes.

1948. Mr. *Macnamara.*] Did you accept those two bets?—Yes.

1949. I believe you voted for Mr. Crosland?—Yes.

1950. And that you got the money from Josiah Thomas?—Yes.

1951. By the *Committee.*] The two sovereigns?—Yes.

1952. Mr. *Macnamara.*] Were you in the "Navigation Tavern" on that day with Josiah Thomas?—On what day?

1953. On the day before the election?—No.

1954. Or about that time?—No.

1955. Do you remember on Wednesday night, the evening before the election, seeing Mr. Joe Cliff, jun., in the back yard of the "George Hotel"?—Yes.

1956. What took place between you and him?—He paid me for Tuesday night; I had been watching.

1957. How much did he pay you?—Ten shillings.

1958. By the *Committee.*] Ten shillings for what?—For watching.

1959. For one night's watching?—Yes.

1960. Mr. *Macnamara.*] Did you see others paid that evening as well as yourself?—Yes.

1961. Many, or not?—I saw some of them; I cannot say exactly how many.

1962. By

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1962. By the *Committee.*] Were they paid for watching?—Yes.

1963. Or for being messengers?—For watching that night.

1964. Mr. *Macnamara.*] Did you go in from the back yard to any place to receive the money; did you go into any room to receive the money?—No; there were two of us; and he gave this other man a sovereign, and he got it changed, and gave me ten shillings.

1965. Where was that paid to you?—It was paid in the "George" back yard.

1966. What did you do on the Wednesday night?—Watched again, the same as on the Tuesday night.

1967. After you had voted for Mr. Crosland, on the polling-day, did you go into the "George"?—Yes.

1968. What did you do when you got there?—I went into a room.

1969. Did you have anything there?—I had a glass of brandy, I believe.

1970. Did you pay for it?—No.

1971. On the Friday night after the election, do you remember seeing Mr. Tom Learoyd. Do you remember going into a long room at the "George" on the Friday night after the election?—Yes; I was in the long room on the Friday night.

1972. Did you receive anything then?—Yes, I received 10*s.* for watching on the Wednesday night.

1973. Who paid it you?—I cannot exactly say now who paid it me.

1974. According to the best of your recollection, who was it?—There was a table like that (*pointing*) where they were paying other folk, and I got paid at the same place.

1975. A long table, something like this?—Yes, it was a table of the same sort.

1976. Who was paid?—I do not know, there were so many, and I could not tell you exactly.

1977. Were there a great many persons being paid?—Yes.

1978. By the *Committee.*] Were they being paid for watching or for acting as messengers?—They were all paid for watching.

1979. No messengers paid that night?—Not that night that I know of.

1980. Mr. *Macnamara.*] About how many were in that room being paid?—I could not tell; as soon as I got paid I went out. I left plenty in.

1981. Were you shown in in gangs or companies, a number of you at a time?—Yes, we were let in a few at once.

1982. Was there a captain to each gang?—What they call a gaffer, a man to look over them.

1983. As far as you can recollect, how many were there in each company or gang that were shown in with the gaffer?—Either seven or eight.

1984. Seven or eight in each party?—Yes.

1985. Were there policemen there to keep the people off from crowding too much?—I cannot say there were any there.

1986. Cannot you recollect?—Not inside the yard. I cannot say.

1987. In the room, to keep them from crowding to the table too much?—I do not know that there were any in the room.

1988. Did you see any there?—Not in the yard. There were some at the front door and at the gate.

1989. What gate?—There is a gate that goes into the back yard.

1990. Was that the way you went into the back yard, and was there a passage from the back yard into the long room?—The door is in the yard to go into the long room.

1991. About a week after the election, did you go to Mr. Tolson for further payment for your services?—I went to enquire who was going to pay me.

1992. What did Mr. Tolson do?—He wrote me an order out to go to Mr. Robinson.

1993. To Mr. Robinson, a solicitor?—I believe he is.

1994. Do you remember for whom he was acting in the election as solicitor?—No, I saw him at the "George."

1995. You took it to Mr. Robinson, I believe?—Yes.

1996. And what did you then do with it?—He told me to take it to Tom Learoyd.

1997. Did you do that?—Yes.

1998. Who went with you to Learoyd with it;—There was Dean and a man they call Mooney.

Mr. *Macnamara* stated that the counsel for the sitting Member agreed that it might be taken that Mr. Robinson was the agent of Mr. Crosland, being joint solicitor with Mr. Learoyd.

Mr. *Hannen* assented.

1999. Mr. *Macnamara.*] You say Mr. Robinson told you to take it to whom?—Tom Learoyd.

2000. Then you did?—Yes.

2001. When you got there what happened?—I saw him in the office and gave it him, and he looked at it, and told me to take it away, he had not time to bother with it.

2002. What did you then do?—I took it back to Mr. Robinson.

2003. And you found Mr. Robinson not at home?—He was not at home.

2004. Did you call again at Mr. Robinson's?—Yes.

2005. What did he tell you to do?—He was gone away from home.

2006. Then you called again and found him?—Yes.

2007. He told you to do what?—He told me to go to Mr. Heaton and get paid.

2008. Who is Mr. Heaton?—I believe clerk to Mr. Learoyd.

2009. To Mr. Learoyd, the solicitor?—Yes.

2010. Where were you to take this letter to Mr. Heaton?—At Mr. Learoyd's office.

2011. Did you take it to Mr. Heaton at Mr. Learoyd's office?—Yes.

2012. What did he do?—He looked at it and told me to call again.

2013. Did you call again?—Yes.

2014. What did he do?—He paid me 30 *s.* for three days' labour.

2015. Before you were paid were you asked what you had been doing or how many days you had been working?—No; they put it down in a book and they knew.

2016. Beyond what you have told the Committee, did you do anything but watching those two nights and voting for Mr. Crosland?—I was there ready at their command when they called on me.

2017. Did you do anything more?—No.

2018. Did you act at all as a doorkeeper?—No.

2019. By

2019. By the *Committee.*] For watching two nights?—For watching two nights, and being there three days as a message carrier.

2020. Mr. *Macnamara.*] You received this 30*s.* as well as the other sums you have mentioned; two sums of 10*s.* each?—Yes.

Cross-examined by Mr. *Hannen.*

2021. You were engaged, I understand you to say, two nights and three days?—Yes.

2022. And you were there ready to do anything you were called upon to do during the day?—Yes.

2023. And you were watching during the night?—Yes.

2024. You received altogether 50*s.*?—Yes.

2025. Was that more than you were entitled to for the work you did?—No; and I had engaged somebody to do my work while I was there.

2026. You left your own work?—Yes.

2027. You had actually given up a job?—Yes.

Re-examined by Mr. *Temple.*

2028. What did you pay the person who did your work for you that you left at Manchester?—I paid him so much a day while he was engaged.

2029. How much?—Three shillings a day and expenses.

2030. What did his expenses amount to?—I cannot exactly say now.

2031. Did you pay him as much as 10*s.* a day for what he did, and for his expenses?—No, not exactly.

2032. Was it anything like 10*s.* a day?—It would amount to a good deal of it, going a journey like that.

2033. Ten shillings a day?—Yes.

2034. But not so much?—No.

Examined by the *Committee.*

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2035. Did you perform any duties whatever as a watcher?—I kept walking about from one place to another as I was ordered, the same as the others, from Peter-street up to the station.

2036. Did you see any watchers doing anything?—I saw some taking people away.

2037. You saw some watchers taking people away?—Yes; not in that round where I was.

2038. Then it was not part of your duty, as a watcher, to take people away?—We were put there, if any one was taken away, to stop them if we could.

2039. Then you were watching the whole night?—Yes.

2040. What time did you go on duty?—Between seven and eight at night.

2041. What time did you come off?—About two in the morning, I did.

2042. That is six hours?—Yes.

2043. Then were you employed again in the day?—Yes, I went again at eight o'clock in the morning.

2044. And during the whole day?—Yes, till five o'clock at night.

2045. Did you perform any duty as messenger in the daytime?—No; I was there when I was called for.

2046. But you did nothing?—No.

2047. Did you get your food during the day, besides wages?—No, I did not get anything.

2048. You found yourself?—Yes.

2049. By Mr. *Hannen.*] Did you go any errands yourself?—No, I cannot say I did; there were others that did.

2050. Did you not take some circulars?—No.

2051. There were others who were sent on errands during the day?—Yes; I was waiting till I was called for.

JAMES HUTCHINSON, was called in; and having been sworn, was Examined by Mr. *Macnamara.*

2052. WHAT are you?—Tin-plate Worker.

2053. Living at Huddersfield?—At Halifax.

2054. I believe you were entitled to vote at the last election for Huddersfield?—Yes.

2055. On the Monday before the election, do you remember meeting Thomas Day and Joseph Wilson?—Yes.

2056. Did they ask you to go anywhere, and if so, where?—They asked me to go with them.

2057. Did you go with them?—Yes.

2058. Where did you go to with them?—We went to a place called Lane Dye House.

2059. Where did you go to from that?—To the "George."

2060. When you went to the "George," into what room did you go?—The right-hand room going in.

2061. Going in from the front from St. George's-square?—Yes.

2062. Who did you see there when you went in?—There was Jerry Kay, Mr. Thomas Everson——

2063. And Mr. Tolson did you see there?—There was Mr. Tolson.

2064. When you went into the room what took place; were you told to go anywhere?—I was told to go outside and they would come to me. Dean told me.

2065. Did you go outside?—Yes.

2066. To what part did you go?—Into the passage.

J. Hutchinson.

2067. Did anyone come to you soon afterwards?—Dean came.

2068. Anybody else?—Mr. Tolson.

2069. Did Dean say anything when he came out?—No.

2070. Or Mr. Tolson?—Dean says, "This is the gentleman."

2071. Pointing to you?—We stood together.

2072. Just at that time did some one else come up to you there?—Yes.

2073. Who was that?—William Crosland.

2074. He is a cousin, I believe, of Mr. Crosland?—I believe he is.

2075. When William Crosland came up, who spoke?—Mr. Tolson.

2076. What did he say?—He says, "What races are there on to-day"?

2077. To whom did he say that?—To Mr. William Crosland.

2078. What did Mr. William Crosland say?—He said, "Pontefract."

2079. What then?—He says, "You can deal with this young man better than me."

2080. Who said that?—Mr. Tolson.

2081. Mr. Tolson said it to whom?—To Mr. William Crosland.

2082. When he said that, what took place?—

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He says, "I engage you as a messenger for a week."

2083. Who said that?—William Crosland; that I must not go to my work; "I engage you as a messenger for a week."

2084. By the *Committee.*] Crosland said he would engage you as a messenger?—Yes.

2085. Mr. *Macnamara.*] What took place?—He axed Mr. Tom Robinson what the messengers had per day.

2086. Was Mr. Tom Robinson there?—He called him out of the room.

2087. That is Mr. Robinson, the solicitor?—Yes.

2088. What did Mr. Robinson say?—He said, "Five shillings."

2089. On his saying "Five shillings," what did you say?—I said I could not stay for 5*s.* a day, because I was getting more.

2090. When you said that what was said, and by whom?—He says, "We will make it 7*s.* a day."

2091. Who said that?—Mr. Crosland.

2092. He said he would make it 7*s.* a day; what more did he say?—He said, "I will advance you 30*s.* now, and you can pay it me back when you draw your wages."

2093. Did he advance you 30*s.*?—Yes.

2094. Did he say anything further at that time when he advanced you 30*s.*?—Yes; he said I was to report myself every day.

2095. Did he say anything further?—No, not at that time.

2096. When he said you should have 7*s.* a day, did he say anything more?—No; he said, "I will advance you 30*s.*"

2097. Was anything said then about your vote?—He said, "I suppose you will vote for the Colonel."

2098. By the *Committee.*] Who said that?—Mr. William Crosland.

2099. Mr. *Macnamara.*] When was it that was said; at what part of the conversation?—The time we were talking.

2100. Was it at the same time the 30*s.* were advanced?—Yes; at the time we were talking.

2101. I believe you then left the "George"?—Yes.

2102. What did you do that day?—I went to Pontefract.

2103. To the races?—Yes.

2104. Did you spend the day there?—Yes.

2105. Did you do anything at all in the way of work between that day and the day of the election?—I just went and reported myself.

2106. Did you do anything more?—Well, I believe I took a telegraphic message to Mr. Jones.

2107. Did you do anything more than that?—No.

2108. By the *Committee.*] How many days were you employed?—Six.

2109. Mr. *Macnamara.*] When would you go and report yourself; about what time in the day?—At night.

2110. By the *Committee.*] Who is Mr. Jones?—High bailiff at the county court.

2111. Mr. *Macnamara.*] Would Tuesday night before the election be the first night you went and reported yourself?—No, I reported myself on Monday.

2112. You reported yourself on Monday night and Tuesday night and Wednesday night?—Yes.

2113. And on Thursday you voted for Mr. Crosland?—Yes.

2114. Did you report yourself more than on Monday, Tuesday, and Wednesday night?—I voted for him on the Thursday, and that is reporting myself, I think.

2115. On how many nights did you report yourself?—I reported myself four nights.

2116. By the *Committee.*] When did you take the telegraphic message?—On the Friday.

2117. After the election?—Yes.

2118. When did you go on duty first?—I reported myself on Monday night.

2119. Mr. *Macnamara.*] Having reported yourself, you went away; is that so?—Yes.

2120. After the close of the poll on the Friday, do you remember seeing Mr. William Crosland?—Yes.

2121. Where did you see him?—I saw him in the "George" yard.

2122. Did you go into the "George" with him?—No.

2123. When you saw him in the "George" yard on Thursday, did you say anything to him about the 30*s.* he had lent you?—I said, "We have beat them, Mr. Crosland," and he said "Yes." He said I had no occasion to say anything about that 30*s.* any more; I could sink it.

2124. And you did sink it?—Yes; I have not paid it back.

2125. On the Friday, after the declaration of the poll, did you go to the "George Hotel"?—Yes.

2126. Did you see Mr. William Crosland again?—No.

2127. Who did you see there?—Thomas Robinson; that is when I took the telegraphic message to Mr. Jones.

2128. What did you apply to Mr. Robinson for?—For my wages.

2129. What wages did you apply for?—Two guineas.

2130. How many days would that be for?—Six.

2131. When you applied to Mr. Robinson for that, what did he do?—He made a note.

2132. Did he tell you to take it?—Yes; he sealed it up in an envelope.

2133. And you were to take it where?—To Mr. Heaton.

2134. Where at?—At Mr. Learoyd's office.

2135. I believe you took it?—Yes.

2136. And the first time you did not see Mr. Heaton, but the next time you went you found him at home?—Yes.

2137. Did you give him the note?—Yes.

2138. Did he give you anything?—He opened it and looked at it, and paid me 30*s.* upon it. I said, "That will not do." He said, "You must settle this; it is what they have ordered."

2139. Then, I believe, you went to Mr. Tolson about it?—Yes.

2140. By the *Committee.*] Did you take the 30*s.*?—Yes.

2141. Mr. *Macnamara.*] What did Mr. Tolson do?—He just wrote on an old envelope that they were to pay me according to the agreement, two guineas.

2142. Who were you to take that to?—Mr. Tom Robinson.

2143. Mr. Tom Robinson, the solicitor?—Yes.

2144. Did you take it to Mr. Robinson?—Yes.

2145. Did you receive anything from him?—I received another note to draw 12*s.* more.

2146. Which

2146. Which you took to Mr. Heaton?—Yes.

2147. How much more did he pay you?—Twelve shillings.

(*The following Document was put in.*)

"13 July 1865.

"Colonel Crosland's Comie
To James Hutchinson.

"Acting as messenger for six days, 1*l.* 10*s.*
Settled, 15 July 1865.

"Thos. Robinson. *James Hutchinson.*"

2148. Did you sign that when you got the 30*s.*?—Yes.

2149. By the *Committee.*] Did you sign anything more for the 12*s.*?—Yes.

2150. Mr. *Macnamara.*] I believe at the former election you had voted for Mr. Leatham?—Yes.

Cross-examined by Mr. *Hannen.*

2151. You had promised Mr. Tolson, I think you say, that you were going to vote for Colonel Crosland?—Mr. William Crossland, I promised.

2152. I am asking you whether you had promised a vote for Colonel Crosland?—Yes.

2153. I ask you, did you not promise that to Mr. Tolson?—No, to Mr. William Crosland.

2154. Had you not promised a vote for Colonel Crosland before you saw Mr. William Crosland?—Not that I am aware of.

2155. However, you will not swear that you had not?—I do not think three words passed between us before Mr. William Crosland came.

2156. I ask you whether, during those three or four words you will swear you had not promised to vote for Colonel Crosland?—I cannot say positively.

2157. I understand you positively swear you had not?—I will not swear either way.

2158. You will not swear you had not promised to vote for Colonel Crosland before you saw Mr. William Crosland?—No.

2159. Did you ask Mr. William Crosland to get you employed as a watcher?—Yes.

2160. Mr. William Crosland said he would if he could?—Mr. William Crosland said he would employ me.

2161. You do not mean to say that he said he would employ, but get you employed?—Yes.

2162. By the *Committee.*] As a watcher or as a messenger?—As a messenger.

2163. Mr. *Hannen.*] You say you stipulated that the amount that was to be paid you, you say 30*s.*, was offered you, and you said you were getting more?—Yes.

2164. Is that a fact?—Yes.

2165. It is the fact that you were getting more?—Yes.

2166. And that that would not be sufficient for you?—It would not be remuneration for leaving my week's work to come for less money.

2167. Did you not ask Mr. William Crosland to advance you some money on the ground that your wife was dangerously ill?—No.

2168. Come, sir; was your wife ill?—She has not been ill but once since I was married, and that is 18 years ago.

2169. Was she ill then?—No.

2170. Is it not true that she was ill?—No, I would not have that said at all.

2171. Did you say anything to Mr. William Crosland about your wife?—Yes.

2172. What did you say about your wife?—I said I should want to leave her some of that money before I went away, as I should be away all the week.

2173. Did you not give that as a reason for asking Mr. William Crosland to advance you some of the money to be repaid out of what you were to get by being a watcher. Did you give as a reason that you wanted some of it for your wife?—No.

2174. What did you say to Mr. William Crosland about your wife?—He gave me a sovereign first; I said I should want to leave that with my wife, as I should not go home again for a week. He says, "I will give you 10*s.* more, and then you will have 12*s.* to draw."

2175. In the first place did you send it to your wife?—She got it.

2176. You sent it her?—I gave it her.

2177. In addition to that, did you not say to Mr. William Crosland that your wife was dangerously ill; that you wanted some of the money for her pressing needs?—No.

2178. Did you say she was ill?—No.

2179. Did you say anything at all about her being ill?—No.

2180. Upon your oath; will you swear to your positive recollection that you did not say anything about your wife being ill?—I never did in my life, only when she was ill.

2181. I ask you whether you did not say so?—I did not; that is an answer again.

2182. Did you not at any time afterwards tell Mr. William Crosland that your wife was ill?—No.

2183. You say that you reported yourself every night; where did you report yourself?—I went to the "George" every night.

2184. What did you report yourself for?—I was to go there every night; that was my orders.

2185. Who gave you those orders?—William Crosland.

2186. Was your name called over with others?—No.

2187. What were you to go there for?—I do not know; they said I was to go there every night, and I did so.

2188. What do you say he said in the first instance; what did he say you were to do?—I was to be a messenger.

2189. What were you to do when you went to the "George" at night?—I was to go there and show myself up.

2190. What do you wish it to be understood you thought was meant by your going there at night?—That I had not gone to Halifax to my wife.

2191. To prove in fact that you were there?—Yes.

2192. And that you were there doing what you were engaged to do?—I was there, if they called upon me, ready to do anything.

2193. I understood you to say that on one occasion you were sent with a message?—Yes.

2194. Where were you at other times; were you, in fact, ready to do anything you were told to do?—I was at Pontefract on the Monday.

2195. Where were you on other days?—On Tuesday I was at Huddersfield.

2196. What were you doing about Huddersfield?—I was getting my beer.

2197. That was all you were doing?—Plenty too; that is hard work.

2198. That is all you were doing?—Yes; and it was very hard work, I assure you.

J. Hutchinson.

25 April 1866.

2199. What were you doing next day?—I was about the town just the same.

2200. Did you go to see any one at the "George"?—I went to the "George."

2201. Only at night?—I believe it was in the forenoon on the Wednesday. It was some part of the day on the Wednesday.

2202. How long did you remain at the "George" on the Wednesday?—Not long. I only went and walked into the house, and away I went again.

2203. Did you inquire for anyone?—No.

2204. You merely looked at it?—Of course.

2205. At the people there?—That is all.

2206. You did not report yourself to anyone?—No.

2207. What did you go there for?—I was ordered to go there.

2208. You were ordered to go there in the evening; what did you go in the forenoon for?—I had to come past and I called.

2209. I want to know what you went there for?—So that I should not have to go that night.

2210. Then in fact you reported yourself in the forenoon?—I went there and went into the "George."

2211. To whom did you report yourself?—I walked into the "George," and out again.

2212. What did you mean by saying a few minutes ago, that you went in order that you might not have to go at night?—I was to show myself once a day there.

2213. And yet you say you did not show yourself to anyone; is that the way you thought you were doing your duty?—Yes.

2214. In fact, you mean to say that is all you intended to do; to go and look in at the "George" once a day?—That was all I was ordered to do.

2215. Is that all you intended to do?—If they had set me to do anything, I should have done it.

2216. When you went to ask for the money, did you tell them you had received anything on account from William Crosland?—No.

Re-examined by Mr. *Temple.*

2217. As I understand your orders were simply to show yourself once a day there?—I was to go and show myself once a day at the "George."

2218. After that, did you ever during the whole day go once to the "George" Hotel, to receive orders from anybody?—No.

2219. Did you then go about your own purposes, and do as you liked?—I went about the town getting my beer.

2220. Was that the receipt you gave for the 12 *s.* (*handing same to the Witness*)?—Yes. *The same was put in as follows*:—

"Jas. Hutchinson, Night Watcher, &c., 12 *s.*
Settled, 15 July 1865.
"Thomas Robinson. *James Hutchinson.*"

2221. Were you ever set as a night watcher; did you ever walk about all-night?—I do not think I was in bed one night all the week.

2222. Drinking, I suppose, all the time?—I believe I was not in bed one night.

Examined by the *Committee.*

2223. Were you on duty?—I was about the town.

2224. When you were about the town, were you doing duty as a watcher or amusing yourself?—Going about from public house to public house to see what is going on, and if we see anything wrong we tell.

2225. That is watching?—We call that watching, and if we see one running away we take him and bottle him if we can get hold of him.

THOMAS DEAN was called in; and having been sworn, was Examined by Mr. *Macnamara*, as follows:

T. Dean.

2226. I BELIEVE you are now living in Oxford-street, Manchester?—Yes.

2227. You keep a fruit shop there?—Yes.

2228. Are you a fruiterer?—Yes.

2229. At the time of the election for Huddersfield were you living in Huddersfield?—Yes.

2230. Do you remember about a month after the election for Huddersfield, Mr. Joe Cliff, the younger, coming to you at the "Fleece Inn"?—Yes.

2231. Was a man of the name of Thomas Mooney with you there at the time?—Yes.

2232. What did Mr. Joe Cliff say to you?—He wanted us to get some men to go to the meeting at Hill House.

2233. Did he say whose meeting it was?—It belonged to Mr. Crosland.

2234. Do you mean Colonel Crosland, the Member?—Yes.

2235. Did he say how many men he wanted you to take?—Somewhere about a score, he said.

2236. What to do, did he say?—To shout out and to cheer Mr. Crosland when he talked, and when people were hissing to put them out of the crowd if we could.

2237. By the *Committee.*] How long before the election was this?—I cannot tell you the date.

2238. Mr. *Macnamara.*] Did you get any men; you and Mooney?—Yes, we took about a score with us.

2239. And you went up to Hill House?—Yes.

2240. I believe Mr. Crosland made a speech there?—Yes, I believe he did.

2241. And after he made his speech what happened?—Mr. Woodhead got up to make one.

2242. Is Mr. Woodhead the editor of the "Huddersfield Examiner"?—Yes, I believe it is him.

2243. That is Mr. Leatham's paper; on his side?—I believe it is.

2244. Mr. Woodhead got up to make a speech?—Yes.

2245. Where was he standing?—On a lorry or waggon.

2246. Where was this meeting held; was it just outside the "Lamb Inn"?—Yes.

2247. When Mr. Woodhead began to make a speech, did anyone come to you?—Yes.

2248. Who was that?—Mr. Bottomley, the solicitor.

2249. Anyone else?—Mr. Learoyd.

2250. Which Mr. Learoyd?—Captain Learoyd.

2251. Anybody else?—There were some more.

2252. Did you see Joe Cliff, the younger, there?—Oh, yes.

2253. Was

2253. Was he there?—Yes.

2254. Did he come to you?—Mr. Bottomley and Learoyd came to me.

2255. Did either of them, and if so, which of them, speak to you? — Both Bottomley and Learoyd.

2256. What did they say?—They ordered us to take the chain off the waggon and set it going and stop the speaking.

2257. How was the waggon fastened?—With a chain at the wheel.

2258. Was there a declivity there?—It was about level, I think.

2259. You were to take the chain off?—Yes, if we could, and upset the waggon.

2260. By the *Committee.*] Who told you this?—Bottomley and Learoyd, and they would stand by the consequences.

2261. Was this waggon on a railway?—No, on the ground; it was a four-wheeled dray.

2262. It was on a slope?—On the ground.

2263. Mr. *Macnamara.*] Did the ground slope?—I do not think it did.

2264. Upon this, what did you do?—One of us went and took the chain off, and we tried to upset the waggon, and the police came and interfered with us.

2265. You did not succeed?—He had to get off.

2266. During the time of the meeting, did you and the men whom you took there have anything to drink?—Yes, they kept giving us ale.

2267. Who gave it you?—They called us in.

2268. Who called you in? — Joe Cliff, the younger.

2269. By the *Committee.*] Called you in where?—Into the "Lamb."

2270. Mr. *Macnamara.*] Did you and your party have much ale?—I should think seven or eight gallons.

2271. Did you pay for it?—No.

2272. Now, I will take you at once to the Monday before the election. Do you remember, on Monday before the election, being at the top of King-street, and seeing James Hutchinson?—Yes.

2273. Did you speak to James Hutchinson?—Yes.

2274. What did you ask him?—I asked him what he was doing there. He said he was doing naught. I asked him who he was going to vote for. He said he would vote for that man he could get most money from.

2275. What did you say to him?—I axed him if he had any money. He said he had none, and he wanted to go to Pontefract Races. I took him to the "George Inn."

2276. You say you took Hutchinson to the "George Inn"?—Yes.

2277. While you were there did you see Mr. William Crosland?—Yes; he came into the "George" while I was there.

2278. When he came what took place?—They went down an entry to another room.

2279. Who went down?—William Crosland, Captain Learoyd, and Mr. Tolson.

2280. What became of Hutchinson?—He went with them.

2281. By the *Committee.*] Where did they take Hutchinson?—Into a room.

2282. Mr. *Macnamara.*] I believe you did not hear what passed between them?—I did not.

2283. After he had gone with them did he return and join you again?—No; I did not see him again till Friday afterwards.

2284. After you had been to the "George" on that day, do you remember meeting with Thomas Gibson?—I do. *T. Dean.* —. 25 April 1866.

2285. Did you take him anywhere?—I took him to the "George Inn."

Mr. *Macnamara* requested the Committee to allow Mr. Temple to continue the examination.

The Committee assented.

2286. Mr. *Temple.*] You say you saw Gibson?—Yes.

2287. On what day was it you saw Gibson—on the Monday?—Yes.

2288. Was that before the election?—Yes, before the election.

2289. When you saw Gibson did you give him anything?—I gave him half-a-crown.

2290. What did you give him the half-crown for?—To spend, I expect.

2291. Where did you get that half-crown from?—I got it from the "George Inn."

2292. Who, at the "George Inn," gave it you?—Captain Learoyd gave me a sovereign.

2293. And you gave Gibson half-a-crown of it?—Yes.

2294. Did you give it to anybody else?—Yes.

2295. Who else?—Joe Smith half-a-crown.

2296. What did you give Joseph Smith?—Half-a-crown.

2297. To anybody else?—No.

2298. What did Captain Learoyd give you the money to do with?—I axed him for some money, because, when I took Smith and Gibson to the "George Inn," Smith was going to work at Cleckheaton. He said he would not stop there all the week if he had no money; he would not stop all the week unless he was paid. I went to Captain Learoyd and said what he said. He said, "If you want any money" (Tolson was with him) "you may say I lent it you." He axed me what I wanted. I said he could give me what he thought proper; and he gave me a sovereign.

2299. Did you give any money to anybody else?—No.

2300. Did you give money to anybody else during the election?—No.

2301. You say you gave half-a-crown to these two persons; what did you do with the other 10*s.*?—It was spent in beer.

2302. By the *Committee.*] Who got the beer? Smith and Gibson.

2303. Mr. *Temple.*] Who did you spend it in beer with?—Smith, Gibson, Wilson and me, and a man named Mooney.

2304. By the *Committee.*] How long did this money last?—It did not last us long, because we had some steaks out of it.

2305. Beefsteaks?—Yes, and mutton chops.

2306. Mr. *Temple.*] Did you know a person of the name of Tom Lee?—Yes.

2307. When did you see Tom Lee?—On the Monday.

Mr. *Hannen* suggested that the cases should be kept separate.

The *Committee* assented.

Mr. *Hannen* submitted that Joe Cliff's name, not being in the list of persons alleged to be bribed, the evidence of the witness so far as it related to Joe Cliff should be struck out.

Mr. *Temple,* in answer to the objection urged

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urged that the evidence was important, as showing Cliff's agency.

Mr. *Hannen* was heard in reply.

The *Chairman* stated that without offering any opinion as to the value of the evidence with regard to agency, the objection not having been taken to the admissibility of the evidence at the time it was given, the Committee were of opinion that it ought to stand.

Cross-examined by Mr. *Hannen.*

2308. This meeting was at Hill House, I understand you to say?—Yes.

2309. Was there a great noise and disturbance there?—Yes.

2310. Was it a meeting of Mr. Crosland's supporters?—Yes.

2311. Was the meeting broken up in confusion, so that several persons were prevented from speaking?—Yes, it was broken up from Woodhead wanting to speak.

2312. How many people were there there?—A good many; I could not tell you.

2313. I suppose you knew the Leathamites as well as Croslandites?—Yes, both sides.

2314. And both sides were there, were they not?—Yes.

2315. A great many of Leathamites?—There were more on the other side, I think.

2316. Then the Leathamites were the noisiest, I suppose?—I believe they were both alike.

2317. You say it was a meeting of Mr. Crosland, and his friends, and Mr. Woodhead, who was one of the Leathamites, came there with a great number of other Leathamites?—Yes.

2318. And made a great noise and disturbance there, so that the meeting was obliged to be broken up?—It was broken up from Woodhead getting on the top of a waggon to speak.

2319. He wanted to interrupt Mr. Crosland in his speaking?—Mr. Crosland had done speaking then.

2320. Mr. Crosland could not go on speaking because there was a disturbance made by some one else?—Mr. Crosland had done speaking.

2321. Had he not done because he could not go on?—He had finished.

2322. Was it only Mr. Crosland who had spoken?—I do not know who spoke besides. Somebody else might come and introduce him.

2323. Nobody had spoken when Mr. Woodhead jumped up, and wanted to address the meeting?—Mr. Crosland had spoken.

2324. Had anybody else spoken afterwards?—I cannot speak to that.

2325. Did Wrigley come forward and endeavour to speak, and was there noise and confusion?—I cannot tell you.

2326. What is it you do recollect of this meeting?—I recollect being there.

2327. That is the only thing you came here to say, that you recollect being there?—Yes, and this Bottomley coming to us.

2328. Did you not hear before you went that a great number of Leathamites were going to upset the meeting?—No, I did not.

2329. You went there, as you say, to keep order?—Yes, I expect so.

2330. Did you do so?—We did our best.

2331. You were not disorderly?—Well, I cannot tell that.

2332. Was there a meeting of Leathamites; did they go on speaking after Mr. Crosland's meeting was broken up?—They wanted to go on if they would let them.

2333. They did go on?—They tried.

2334. Were there several persons who stopped, and spoke in the Leathamite interest?—I cannot tell you.

2335. Did you not wait?—I was in the house then, perhaps.

2336. You say there was confusion; did you go away after Woodhead attempted to speak, or did you remain?—I went into the back yard, and Joseph Cliff and Bottomley brought us a gallon of ale.

2337. Did you go again into the room where you had been before?—Yes.

2338. Were persons there assembled, continuing to speak?—What, in the house?

2339. In the room?—In the room?

2340. To address the meeting?—I do not understand you.

2341. You say you went and had some beer; when you came back were any persons still addressing the meeting?—No.

2342. What did you give Gibson 2*s.* 6*d.* for?—I gave it him out of that sovereign Mr. Learoyd gave me.

2343. I ask you what you gave it to him for?—For himself. I do not know what he would do with it.

2344. What for?—I cannot tell you.

2345. Surely you understand my question?—Well, Captain Learoyd gave us that sovereign to distribute among them, and to have something with it.

2346. What did Captain Learoyd say to you when he gave you the sovereign?—I told him Smith would not stop except he got some money, and he says: "Well, if I give you some money if anybody should say anything to you, you say I have lent it to you," and he put his hand in his waistcoat pocket, and he gave me a sovereign.

2347. What were you to do with it?—To go and keep Smith and Gibson, and give them some of that sovereign, and get some beer with it.

2348. You mean to say that Captain Learoyd said you were to do all that, or what is it you mean he said?—He gave me a sovereign to treat them with.

2349. Did he say so?—He said that if anybody said anything about the sovereign, I was to say I borrowed it of him.

2350. Is that all he said?—I believe it is.

2351. If that is all he said, how came you to go and give half-a-crown of it to Gibson, and half-a-crown to somebody else?—We were all together.

2352. When you saw Learoyd?—Yes.

2353. There was Gibson, and who was the other man?—Smith and me.

2354. You were all together when Learoyd said that?—I was in the passage, and they were outside the "George."

2355. Then they were not present?—They were at the "George Inn."

2356. Did anybody else hear what you say passed between Captain Learoyd and you?—Yes, Mr. Tolson.

2357. You pledge yourself Mr. Tolson heard it?—Yes.

2358. Where did you have this beer?—We went down to the "Fleece" dram-shop.

Re-examined by Mr. *Temple.*

2359. You said you told Captain Learoyd something about Smith before he gave you the sovereign?—Yes.

2360. What

2360. What did you tell him?—That Smith said he would not stop except he had something to go on with.

2361. Did you mention any other name than Smith as saying anything of the same kind?—No, I believe not.

2362. After you told him that Smith would not stop except he had something to go on with, was it then the sovereign was given you?—Yes, it was.

2363. Was a person of the name of Joe Wilson present when Captain Learoyd gave you that sovereign; recollect yourself?—He was in the house. *T. Dean.* 25 April 1866.

2364. Do you remember whether he was present?—He would be a yard or two from us; he might not hear what he did say.

2365. You said, in answer to a question from my friend, that Tolson was there, and nobody else. On being reminded, was anybody else than Tolson there?—Yes, Joe Wilson was somewhere about; Tolson and Learoyd were together.

JOE WILSON, was called; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*:

2366. I THINK you are a painter, and you live in Castle-gate, Huddersfield?—Yes. *J. Wilson.*

2367. Do you remember the Monday morning prior to this election, just before the election?—Yes.

2368. Were you at the top of King-street?—Yes.

2369. Was anybody with you?—Tom Dean.

2370. Do you remember meeting a man on your road?—Yes.

2371. Who was he?—James Hutchinson.

2372. Did you know whether he was a voter or not?—Yes.

2373. Did you hear Dean say anything to Hutchinson?—Yes.

2374. What did he say?—He asked him who he was going to vote for.

2375. What said Hutchinson to that?—He said he was not particular.

2376. After he said he was not particular, did he say anything about any other matter?—Yes.

2377. What did he say?—He said he was hard up, and wanted some money.

2378. When he said he was hard up, what did Dean say to him?—He says, "Come on to the 'George' with us, and we will see what we can do for you."

2379. Did he say "for thee," or "for you"?—"For you."

2380. When he said that, what did you three fellows do?—We went to the "George."

2381. When you went to the "George," where did you go?—We inquired for Tom Learoyd.

2382. Do you recollect what man you inquired of?—No, I do not, exactly.

2383. Do you know the committee-room there?—Yes.

2384. Was the man you inquired of standing at the door?—Yes.

2385. You do not know his name, you say?—No.

2386. What did you say?—We asked if Mr. Tom Learoyd was there, and he said no.

2387. According to something that passed between you, did you go to Tom Learoyd's mill?—Yes.

2388. Is it far from there?—Perhaps a quarter of a mile.

2389. Who went with you?—Tom Dean and Hutchinson.

2390. I believe when you went there he was out?—Yes.

2391. When you found he was not there, where did you go?—We went back to the "George."

2392. I believe you did not find him there?—No.

2393. Did you go to the "Imperial Hotel"?—Yes.

2394. And I believe, from the "Imperial" you came back to the "George"?—Yes.

2395. And then, I think, you met with your man?—Yes.

2396. Was there anybody there besides?—A gentleman was there named Tolson.

2397. When you went back to the "George," did they come out of any place, Tolson and Learoyd?—We saw them in the passage.

2398. Did they talk with any of you?—They talked with Hutchinson.

2399. What became of Tolson, Tom Learoyd, and Hutchinson?—They went into a committee-room.

2400. Do you remember how long they were there?—They would not be long.

2401. Did you wait there until they came out?—Yes.

2402. When Hutchinson came out, did he say anything to you?—No; he went out at the front door.

2403. Did you hear anything said about the Pontefract Races?—Yes.

2404. What?—Hutchinson said he should like to go to Pontefract races, for he had not missed many years, and he had no money.

2405. To whom did Hutchinson say this?—To Thomas Dean and me.

2406. I believe you and Dean went to the railway to look after him?—Yes.

2407. Did you see anything of him?—No.

2408. Did you have a conversation with Learoyd?—Thomas Dean had a conversation with him.

2409. In your presence?—Yes.

2410. After that conversation, did you go to the "George," or were you there?—We were at the "George."

2411. Did you see Mr. Thomas Robinson, the solicitor, there?—Yes.

2412. Was anything done about you?—Yes.

2413. What?—I was to have my name put down as a messenger.

2414. Did you and Dean meet with Thomas Gibson, of Apsley, a carrier?—Yes.

2415. Is he a voter?—Yes.

2416. Did you see Tolson and Gibson together?—I saw them in the passage at the "George."

2417. Was that far from the long room?—It was in a passage leading to the long room.

2418. Where did you stay; did you stay at all away from them?—I stayed in the passage.

2419. Did Gibson come back to you?—Yes.

2420. When Gibson came back, what did he say to you?

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Mr. *Hannen* objected to the question.

Mr. *Temple* withdrew the question.

2421. By Mr. *Temple.*] You said you saw Tolson and Thomas Gibson together?—Yes.

2422. And that Tolson and Gibson came out of the room together?—Yes.

2423. Was any arrangement made between you or Tolson and Gibson as to where you were to go to?—No.

2424. Was any arrangement made about your meeting again?—Yes.

2425. What was the arrangement as to your meeting again?—That we were to meet at the "George" again.

2426. Was the time mentioned?—In the afternoon.

2427. At what hour?—About three.

2428. Mr. Serjeant *Tindal Atkinson.*] About three o'clock; did you keep your appointment?—Yes.

2429. Who were there at three?—Learoyd and Mr. Tolson.

2430. Was Gibson there?—Yes.

2431. Was Thomas Learoyd there?—Yes.

2432. Do you know Joseph Smith?—Yes.

2433. Was he there?—Yes.

2434. Anybody else?—No.

2435. When you went to the hotel, did you see Tom Learoyd and Mr. Tolson there?—Yes.

2436. Where?—In the passage.

2437. Were they waiting in the passage, or did they come to you?—They came to us.

2438. What did they do when they came into the passage, if they did anything?—They took Smith and Gibson into a committee-room.

2439. Was that the room on the right-hand side of the passage?—Yes.

2440. How long were they there?—Not very long.

2441. Did they come out together?—Mr. Tolson and Learoyd came out together.

2442. When you were going away from the "George," did Tom Learoyd do anything?—Thomas Dean turned back to Learoyd and they had a conversation together.

2443. By the *Committee.*] Did you hear it?—Yes.

2444. Mr. Serjeant *Tindal Atkinson.*] Do you recollect Tolson saying anything to you at that time as to what you were to do?—Thomas Dean said he could not afford to spend his own money; he wanted to know if he would let him have some.

2445. By the *Committee.*] Said to whom?—To Mr. Tom Learoyd.

2446. Mr. Serjeant *Tindal Atkinson.*] Go on?—Mr. Learoyd said he was not authorised to give any money to anybody, but he would lend him some.

2447. Did any money pass?—He put a sovereign into his hand.

2448. Before you left the house, do you remember whether Learoyd and Tolson said anything to you as to what you were to do?—They said if we knew any voters we were to look after them and take them up.

2449. What did you say to that?—Thomas Dean said he would do his best.

Mr. *Hannen* objected, that evidence as to anything not contained in the list was not admissible.

Mr. *Temple* was heard in answer to the objection.

Mr. *Rodwell* was heard in reply.

The *Chairman* stated that the Committee were of opinion that evidence to prove general agency was admissible.

2450. Mr. Serjeant *Tindal Atkinson.*] What became of Gibson, Smith, Dean, Read, and yourself after that?—We went to the "Fleece."

2451. Is the "Fleece" a dram shop?—The "Fleece" is a dram shop.

2452. Had you anything to drink?—Yes.

2453. Who paid for it?—Thomas Dean.

2454. Did you afterwards go to the "Queen's Head" in King-street?—Yes.

2455. Did you have some refreshments there?—Yes.

2456. Who paid for that?—Thomas Dean.

2457. I believe you went to another house, and had something there?—Yes.

2458. Who paid?—Thomas Dean.

2459. Do you remember on the Tuesday evening, Joe Cliff, of Willow-lane, coming to you, and seeing you?—Yes.

2460. Did he employ you?—Yes.

2461. As what?—As a watcher.

2462. What were you to have?—10*s.* a night.

2463. Did you act as a watcher accordingly?—Yes.

2464. Did you receive the two sums?—Yes.

2465. By the *Committee.*] Are you a voter?—No.

2466. Mr. Serjeant *Tindal Atkinson.*] Where did you receive the money?—At the "George."

2467. At the long room?—At the long room.

2468. Was Joe Cliff there?—Yes.

2469. When you were paid?—Yes.

2470. Did you see anything in his hand, or anything before him?—He had a paper in his hand.

2471. Did he call any names?—Yes.

2472. When he called them, what was done?—They went up and they got paid.

2473. To whom did they go to get paid?—I do not know the gentleman's name who paid, but they were paid at the table.

2474. How many were there, do you think, waiting to be paid?—There were a good many.

2475. How many, do you think?—Well, there were 100 or 200 in the yard, but I do not know whether they were all waiting to get paid.

2476. By the *Committee.*] When was this payment you are talking about now?—On the Thursday night.

2477. After the poll?—Yes.

2478. Mr. Serjeant *Tindal Atkinson.*] Take that in your hand; had you a card like that *(handing the same to the Witness)*?—Yes.

2479. Did you see any more of them?—Thomas Dean had one.

The same was put in, as follows:—

"Huddersfield Election, July, 1865.
"Canvasser
"for
"Crosland.
"No. 49." "Tom L."

2480. About a week after the election, did you go to Mr. Thomas Robinson's office?—Yes.

2481. Was any note given to you which Mr. Robinson signed?—Yes.

2482. Were you directed to take it to anybody?—Yes.

2483. To whom?—Mr. Heaton.

Cross-examined

Cross-examined by Mr. *Hannen*.

2484. Did you carry your card like that about with you all the time?—Yes, I carried it in my pocket.

2485. You and all these other people—you say, hundreds—had the cards and came and presented them?—The card we had to get paid with did not resemble that card.

2486. What was this card that you had?—I do not know what it was for; I had it given to me by Learoyd.

2487. Had you not seen cards like that given to the other people?—Yes, but they were not for us to go and get our money.

2488. You say you had seen cards like that given to all these other people?—I did not say so. I said I had seen several people have cards like that.

2489. Were they the persons who were employed as you were, who had these cards?—Yes, some of them; I do not know them all.

2490. You saw several persons who were employed as you were also with cards like that?—Yes.

2491. You were employed as a watcher?—Yes. *J. Wilson.* 25 April 1866.

2492. You were not a voter?—No.

2493. And the other people who were about there, were they also non-electors—watchers?—There were some who were electors and some who were not.

Re-examined by Mr. *Temple*.

2494. What was that note you presented when Mr. Cliff called your name out?—A small ticket.

2495. Was it like that?—No.

2496. You say you had that ticket?—I had one like it

2497. What did you do with it?—It got torn up, or destroyed in some way.

2498. Then it was another ticket that was given to you?—It was another ticket given to me to get money.

[Adjourned till To-morrow, at Eleven o'clock.

Thursday, 26th April 1866.

RIGHT HONOURABLE LORD NAAS, IN THE CHAIR.

Mr. *Temple* stated that he proposed to call evidence in contradiction of the Witness, *David Tinker's* statement, that the reason why he had made and signed the statement of his evidence was because of a promise made by a person of the name of *Clayton* to give him 20 *l.* for his story. He proposed to call *Clayton*, to ask him as to conversation which he had had with *David Tinker* with reference to this bribe.

Mr. *Rodwell* objected to this course being taken, and stated that the evidence proposed to be called did not have reference to bribery.

Mr. *Temple* was heard in support of the evidence being called.

Mr. *Rodwell* was heard in reply.

The *Chairman* stated that the Committee were of opinion that this line of examination was not admissible.

THOMAS DEAN was again called in; and further Examined by Mr. Serjeant *Tindal Atkinson*, as follows:

T. Dean. 26 April 1866.

2499. Do you know a person of the name of Thomas Lee?—Yes.

2500. Did you have any conversation with Mr. Thomas Learoyd about him?—Yes, Learoyd asked me about the man.

2501. Do you recollect where that was that that took place?—Yes, Mr. Learoyd asked me if I knew a man of the name of Thomas Lee, a dyer.

2502. By the *Committee.*] Which Learoyd?—Captain Learoyd.

2503. Are you a voter for Huddersfield?—No.

2504. Mr. Serjeant *Tindal Atkinson.*] Do you recollect where it was that he asked you if you knew him?—Yes,

2505. Where was it?—In the "George Inn."

2506. What part of the inn was that, that he asked you?—In the passage; just as you go through the front door.

20507. Was anything said about where Lee lived or what he was?—He ax'd me if I knew where he lived, and I said I did not know; and he ax'd me if I knew where he worked, and I said "no."

2508. What took place then?—I said I think he works for Mr. Hepplestall, on the canal bank, and he asked me to go down there and see him.

2509. Hepplestall Brothers; are they dyers?—Yes.

2510. They are a firm of dyers, carrying on business at Turnbridge?—Yes, I believe they are.

2511. Was anything said by Learoyd to you about Lee, as to what you were to do when you found him?—He said I was to take him to the "George Inn."

2512. And after you had received your orders from him, what did you do?—I went down to see if I could get to see him, and I got to see him; and he promised to meet me at six or half-past six that night.

2513. Before you left the "George Inn," in order to execute that order for Mr. Learoyd, did you see Tolson?—I do not know, I am sure.

2514. Did you receive anything at all from Learoyd on that occasion?—No, not then.

2515. Go on, and tell us your own story as shortly as you can. You came back at six o'clock?—Yes, from six to half-past.

2516. Was the man with you?—Yes.

2517. Where did you go to?—I went to the "George." Captain Learoyd was not there; and they said I was to take him into the "Imperial;" and as I was going along the street I met Joe Cliff.

2518. In consequence of something that was said, which you need not tell, what did you do?—He went into the "Imperial" to see Learoyd.

2519. Did you see Learoyd there?—No, I did not go in.

2520. He went in?—Yes.

2521. By the *Committee.*] You mean that Lee went in?—Yes.

2522. Mr. Serjeant *Tindal Atkinson.*] What took place then?—I cannot tell you what took place with them in there.

2523. Did anybody come out?—Yes, he came out again, and Walter Clayton was at the door; he came out and we went down the street together. He told me that Tom Lee's wife was very bad, and he wanted something.

2524. You told Clayton that?—Yes.

2525. What did you tell him; that Lee's wife was bad?—Yes; and Clayton told me to stop there while he went into the "Imperial;" he went in, and then he came out again, and he gave me a sovereign.

2526. Mr. *Rodwell.*] Who gave you a sovereign?—Clayton; and he said I was to take him down to his house, and tell his missus to give him a bottle of wine.

2527. By the *Committee.*] To take the sovereign

reign down, do you mean?—No, to take Thomas Lee down.

2528. To whose house?—Thomas Clayton's.

2529. Clayton told you to take Lee to his house?—Yes, to Lee's house.

2530. Mr. Serjeant *Tindal Atkinson.*] What Clayton?—He keeps a public-house.

2531. You may give us the sign, if you recollect it; what is the sign of this house?—I think it was the "Queen's Head."

2532. Did you and Lee go to Clayton's house?—Yes, me and Lee and Joe Wilson went down.

2533. Did you get a bottle of wine?—I got a bottle of wine and a gallon of whisky a-piece; there were three of us, and Mrs. Clayton said "it was all right."

2534. Did you pay for what you had?—No.

2535. Did you tell the Committee for whom that sovereign was paid; to whom it was given?—I did not tell the Committee that night.

2536. No; I mean this Committee?—No.

2537. To whom were you to give the sovereign?—He did not say to whom I was to give it to.

2538. Did you get anything out of it?

Mr. *Hadden* objected to the question, and stated that the Witness must be asked what he did.

Mr. *Temple* stated that yesterday the Witness said he gave two half-crowns to somebody.

2539. By the *Committee.*] Clayton did not tell you who you were to give the sovereign to?—No, he did not.

2540. Mr. Serjeant *Tindal Atkinson.*] Did they tell you where to get the bottle of wine?—They said we were to go down to the "Queen" to get this bottle of wine.

2541. Did you get it?—Yes.

2542. Where did you take it?—Mr. Lee took it home to his wife. This Lee is a voter.

2543. By the *Committee.*] I understood you to say that you drank the bottle of wine?—No.

2544. You drank the glass of whisky in the house?—Yes.

2545. You drank the whisky, and he took the wine home to his wife?—Yes, this Thomas Lee; he is a voter.

Cross-examined by Mr. *Rodwell.*

2546. You seem to know a good deal of what took place at Huddersfield at this election?—I do not know so much.

2547. You have told us a good deal about it in this room to-day and yesterday?—I have told you a little about it.

2548. Were you employed at the last election?—Yes.

2549. By whom?—By Mr. Learoyd and George Clayton.

2550. What did you do?—I went sometimes to fetch water.

2551. When did you give information of this case of Gibson, and this case of Lee, and this case of Smith; when did you give all this information to the gentlemen on the other side?—I was examined yesterday.

2552. Were you not examined before yesterday?—No.

2553. Did you not make a statement in a lawyer's office in Huddersfield?—In a office at Huddersfield?

2554. Yes; did you, or did you not, make a statement of what you knew of these matters; about Gibson, Lee, and others?—At Huddersfield?

2555. In a lawyer's office?—No.

2556. Who did you make it to?—To one of Mr. Clough's clerks.

2557. When was that?—I cannot recollect.

2558. Try and recollect; you can tell how soon after the election it was?—I cannot; it might be a month.

2559. By the *Committee.*] You must tell us about?—Yes.

2560. Mr. *Rodwell.*] Was it about a month, or was it a few days?—It might be about three months.

2561. After the election?—Yes.

2562. Did you go of your own accord there, or did they come and ask you?—They came and asked me.

2563. Who came?—One of Mr. Clough's clerks; I do not know which.

2564. Woodhouse is one of them; do you know Woodhouse?—Yes, he was one.

2565. Did you tell him what you have told us to-day and yesterday, all at one time, or at different times?—I told him all in one day.

2566. Then you told him of all this; had anything been said to you about giving your evidence?—Do you mean, had anybody came and asked me about giving my evidence?

2567. Yes; come now, you have told us a good deal about this election, and you can tell us this?—Woodhouse asked me.

2568. What did Woodhouse ask you?—Woodhouse asked me if I knew nothing about the election; I said, "I did not know so much;" he asked me to tell what I did know, and I said that I did not know whether I should do so or not.

2569. Why did you hesitate?—I did not like.

2570. Why did you not like?—I don't know.

2571. But you did tell him?—Yes; I changed my mind.

2572. What made you change your mind?—They came and asked me.

2573. What made you change your mind? you said you did not like to at first; how many times did they come before you changed your mind?—There was no one came but the clerk, to take my evidence.

2574. Did you make up your mind the first time?—I was not taken before the lawyer.

2575. You said the first time you were asked to give your evidence you had not made up your mind?—No.

2576. When did you make up your mind?—When they came seeking me in Rochdale.

2577. When they came seeking you in Rochdale?—Yes.

2578. Why was it that you told them while you were at Rochdale, and why did you not tell them while you were in Huddersfield?—I had changed my mind.

2579. What had made you change your mind?—I cannot tell.

2580. Cannot tell?—No.

2581. Cannot guess?—No.

2582. I mean to have the truth out?—I cannot tell.

2583. Do you mean to say that you cannot tell?—Yes.

2584. You will have to tell it presently?—No.

2585. Was there anything said about other

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people having given evidence, and that it was worth your while to give it?—I daresay people had been giving their evidence.

2586. And it was worth your while to give it?—I do not know.

2587. Were you not told that other people had given their evidence, and that it would be worth your while to give yours?—I heard that people were giving their evidence, and I said I would give mine.

2588. Was anything said about expenses?—(*No answer.*)

2589. Come, out with it?—(*No answer.*)

2590. Out with it, I mean to have it out?—(*No answer.*)

2591. Will you answer my question?—What do you mean?

2592. Do you not understand what I mean; what was said about expenses when they called upon you for your evidence?—They said that I should have to come up to London.

2593. What did they say about expenses; what did they say you were to be paid?—I did not say anything to them.

2594. That is not my question; what did they say about expenses?—I do not know.

2595. Did they say nothing at all about expenses?—No.

2596. Do you mean to tell me that nothing was said about your expenses being paid?—The expenses of my coming up to London were to be paid.

2597. I know they were but I want to know what was said to you about your expenses being paid?—(*No answer.*)

2598. Come, tell me; do not keep me and the Committee waiting?—They said that I should have my expenses paid to come up here.

2599. Did they say what you should be paid?—No.

2600. No sum mentioned?—No.

2601. Did they say, "You shall be well paid"?—They might have said so; I don't know.

2602. How much do you expect to get?—I cannot tell you.

2603. Eh?—I do not know.

2604. Have you sent in any claim?—No.

2605. How much do you expect?—I do not know.

2606. How many days have you lost?—Since last Saturday.

2607. You leave it to them, I suppose, and do not care?—I shall leave it to them. I do not know what they will give me.

2608. Do you not know what you will get?—I suppose the same as the others.

2609. What do they get?—Some of them say they are getting 1*l.* a day.

2610. Do you expect to get 1*l.* a day?—I do not know.

2611. You said just now you expected to be paid the same as the others?—I expect I shall.

2612. Do you expect to be paid 1*l.* a day?—I expect to be paid the same as the others.

2613. Have you had anything already?—Yes, I have.

2614. How much?—A sovereign last Tuesday night.

2615. You had a sovereign last Tuesday night?—Yes.

2616. Did you have anything besides that; have you been paid anything more; I have a reason for asking the question; have you been paid anything beyond that sovereign and the two half-crowns which you spoke of?—For coming up here?

2617. No; from the parties to whom you gave your evidence, or the parties connected with this petition; you must know that?—Just ask me that question again.

[The shorthand writer was requested to read the question to the witness.]

2618. Having heard that question read, have you received anything besides the two half-crowns and the sovereign you have mentioned?—I did not say that I had ever received two half-crowns.

2619. I thought you did. Did you not say that you received a sovereign on Tuesday night?—Yes.

2620. Is that all you received?—I received four sovereigns last Saturday.

2621. You received four sovereigns on Saturday when you came?—Yes, and 1*l.* besides, last Tuesday night.

2622. Then you have received, at present, 5*l.*?—Yes.

2623. Is that all you have received?—Yes.

2624. From first to last?—Yes.

2625. Since the election?—Yes.

2626. Are you sure of that?—Since this here election?

2627. Yes, since the election at Huddersfield?—No.

2628. You give me a great deal of trouble. Has Mr. Clough paid you more than 5*l.*?—No, he has not.

2629. How much has he paid you?—I received a little money from Mr. Leatham.

2630. That was for what you did at the election?—Yes, some of it.

2631. Have you received from the party who brought you up here, and to whom you gave your information since the Huddersfield election, anything beyond that 5*l.*?—No.

2632. That you swear?—Yes.

2633. You understand my question; don't let there be any mistake; you seem to hesitate. I ask you distinctly, whether you have received anything in addition to that 4*l.* and that 1*l.* from the parties here, connected with this petition; that is my question?—Since last Friday.

2634. I said, since the election at Huddersfield; do not let me entrap you, or lead you into a mistake; this is a question of importance. Do you understand my question?—No, I don't.

2635. Then I will repeat it. Have you, in addition to the 4*l.* and the 1*l.*, which you have received lately, received anything from the parties connected with this election petition?—I received the 4*l.* last Saturday and 1*l.* last Tuesday.

2636. Beyond that what have you received?—Before that, you mean.

2637. Have you received anything from the parties connected with this petition beyond the 5*l.* which you have mentioned; do answer the question?—When Mr. Clough's man came to take my evidence he gave me half a sovereign.

2638. Who was the gentleman who gave you the half sovereign when you gave your evidence; was it Clough's clerk?—Yes.

2639. It was Clough's clerk?—Yes.

2640. What did he give you the 10*s.* for?—He said, to have some drink with.

2641. And you took it?—Yes.

2642. Had you received any other half-sovereign

reign or sovereign, or any other money, before coming to London?—No, not that I am aware of.

2643. Are you quite sure of that?—I cannot be sure; I cannot speak to it just now.

2644. Then I suppose you may have had some more, and forgotten it?—Yes.

2645. Did you ask for that half-sovereign:—No.

2646. What did he say?—He put it on the table, and he said I could have some drink.

2647. Was that all he said?—Yes, I think it was.

2648. You are quite sure you did not ask for it?—I am quite sure.

2649. Was anything said about it before you gave your evidence?—No.

Re-examined by Mr. *Temple*.

2650. What is your employment; I forget what you are?—A greengrocer.

2651. On the day that you gave your evidence to Mr. Clough's clerk, had you to leave your occupation?—Yes, I had.

2652. During that day?—Yes. *T. Dean.* 26 April 1866.

2653. Was there any promise of any kind made to you before you gave your evidence to Mr. Clough's clerk?—No.

2654. Nothing?—No.

2655. Not at any time?—No.

2656. After you gave your evidence to Mr. Clough's clerk he gave you 10 *s.*?—Yes, I think it was 10 *s.*

2657. On Saturday last you say you received 4 *l.*?—Yes.

2658. What was the 4 *l.* given to you to do with?—For my railway fare, and coming up to London.

2659. Then out of the 4 *l.* you paid your railway fare to London?—Yes.

2660. You have paid your railway expenses out of the 4 *l.* and the 1 *l.* which you received?—Yes, and I have been living out of it.

2661. Have you had made to you any promises of money for giving your evidence?—No.

2662. Or have you, since you gave your evidence to Mr. Clough's clerk, received any money?—No, I have not.

Joe Wilson was again called in, and further Examined by Mr. *Macnamara*, as follows:

2663. Do you remember, on the Monday before the election at Huddersfield, going with Thomas Dean to Hepplestall's dyehouse?—Yes.

2664. Did you meet Thomas Lee?—Yes.

2665. Where did you go to with Thomas Lee?—James Shaw's beerhouse.

2666. Did you have anything there?—A pint of beer.

2667. What is the sign of James Shaw's beerhouse?—I forget the name of it.

2668. Do you not know the name of it?—I forget the name of it.

2669. What did you have there?—A pint of beer.

2670. Who paid for it?—Thomas Dean.

2671. Where did you go then together?—To Lee's house.

2672. Then where did you go to from Lee's house?—To the "George."

2673. To the "George Hotel"?—Yes.

2674. I believe after you had made an inquiry there you went to the "Imperial Hotel"?—Yes.

2675. When you got there did you see Walter Clayton, of the "Queen's Head"?—Yes.

2676. Did you hear Dean ask Clayton anything?—They passed the conversation together; but I did not hear what passed.

2677. Did any person say anything; did they ask if any one was there?—They asked if Mr. Tom Learoyd was there.

2678. Who did they ask?—Walter Clayton.

2679. What did he say?—He said he did not know, but he would go and see.

2680. Did he go into the house?—Yes.

2681. When Walter Clayton came out, what then took place?—There was a conversation passed betwixt Dean and him.

2682. Did you see anything done?—I saw him give Dean a sovereign. *J. Wilson.*

2683. Walter Clayton gave Dean a sovereign?—Yes.

2684. Did Clayton tell you to do anything?—Yes.

2685. What was that?—To take Lee down to the "Queen's Head," and tell Mrs. Clayton to give me a bottle of wine, to give to him.

2686. The "Queen's Head" is Walter Clayton's house?—Yes.

2687. Who did he tell you to take; you were to go to the "Queen's Head" to do what?—To tell Mrs. Clayton to give me a bottle of wine, and then to give it to Lee.

2688. Did you go there?—Yes.

2689. Did you get the bottle of wine?—Yes.

2690. Did you give it to Lee?—Yes.

2691. Did any one pay for it while you were there?—No.

Cross-examined by Mr. *Rodwell*.

2692. You saw the sovereign given?—I saw something given to Thomas Dean, and he told me it was a sovereign.

2693. What was said when it was given to Thomas Dean?—I did not hear the conversation.

2694. Was there any?—They passed the conversation together on the steps.

2695. You did not hear it?—No.

Sarah Brook was called in; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*, as follows:

2696. I believe you lately kept the "Bath Hotel"?—Yes.

2697. Is that at Lockwood, near Huddersfield?—Yes.

2698. I believe you are now living at King-street, Huddersfield?—Yes.

2699. Your late husband, I believe, was a voter?—Yes. *S. Brook.*

2700. At the last election?—Yes.

2701. Was that in respect of the "Wheatsheaf Inn"?—Yes.

2702. Prior to the election, do you remember whether

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whether your husband was canvassed for his vote?—Yes, he was canvassed by both parties.

2703. By both sides?—Yes.

2704. Do you remember whether he pledged to vote for either party?—No, he did not.

2705. Do you know Mr. Joseph Hallowell?—Yes.

2706. Do you remember his calling upon your husband?—Yes.

2707. Did he call with any one?—Yes, with another gentleman.

2708. Did you know the gentleman?—No, I did not know him myself.

2709. Since that I believe, you have found out who he is?—I think so, but I am not positive.

2710. Your husband, I believe, was very ill in bed?—Yes, he was very ill indeed at the time.

2711. Labouring under some pulmonary complaint?—Yes.

2712. Did Joseph Hallowell, whom you say you know, see your husband?—Yes.

2713. Can you recollect sufficiently to tell the Committee what was said?—I can tell as well as I remember.

2714. What did he say to him?—He asked him how he was; he said he was very poorly, and he asked him if he could take anything to do him good; he said that he could only take a little wine, and he said that he would send him some; and he sent him a bottle of wine the day following.

2715. Was anything said as to why he would send it?—No.

2716. Do you remember at all, at that interview, whether Mr. Hallowell canvassed your husband?—He did not do it when he first came; he came two or three times before he said anything about voting.

2717. By the *Committee.*] You must not say anything that occurred except when you were present?—No.

2718. Mr. Serjeant *Tindal Atkinson.*] Was anything else said, except about the wine, at that time?—No, he did not mention anything about voting, or anything about it, when the wine came.

2719. Did the wine come?—Yes.

2720. When?—The day after Mr. Hallowell called to see him.

2721. What wine was it?—A bottle of port wine.

2722. Do you recollect who brought it?—It was either Mr. Hallowell's son or a boy out of his warehouse; I am not sure which.

2723. On the following Monday did Mr. Hallowell call again?—Yes.

2724. Did he see your husband in your presence?—Yes.

2725. Do you recollect what he said?—He asked him how he was, and asked him if the wine had done him good; he said it had, and he said he should have some more if it had.

2726. Did he say where the wine came from?—He told me then that it came from Mr. Tolson; he said that I was to send for another bottle when he had done it.

2727. Did he give any directions where you were to go to for any wine?—To Mr. Tolson.

2728. Did you send your daughter?—Yes.

2729. Did she bring any wine back?—Yes.

2730. How much?—Only one bottle at once, but I do not know how often she went.

2731. How long did that continue; you know the day of the election?—I am sure I do not know the day of the election; I forget.

2732. You know that this was on a Monday?—Yes.

2733. After that, did you send for more wine?—Yes, I sent afterwards.

2734. About how many days?—About every other day.

2735. Did you on any occasion go for wine yourself?—Yes, I went once.

2736. Where did you go to?—I went to Mr. Tolson.

2737. Who did you see?—I saw Mr. Tolson himself.

2738. What took place then?—I asked him for a bottle of wine for my husband; he gave it to me; he did not ask me any questions.

2739. Did you ever pay for any wine, Mrs. Brook?—No.

2740. Or know of any money of your husband's having been paid for it?—Not that I know of.

2741. Would it be likely that you would know it if there had; had you the management of the business?—Yes, I had.

2742. Did Hallowell call again to see your husband?—He called regularly as long as he lived.

2743. On any of those occasions when Hallowell called to see your husband, was anything said about voting?—I believe it was said sometimes; but he had been several times before he asked him which way he was going to vote; he said he would not tell anybody until the day. He had signed the requisition to Mr. Crosland, but he would not tell him who he should vote for.

2744. By the *Committee.*] When did he tell him that?—He had been several times before he told him.

2745. Were you present?—Yes.

2746. In the room?—Yes.

2747. Mr. Serjeant *Tindal Atkinson.*] Was anything said by him as to where the wine came from?—No, only from Mr. Tolson; he did not say anything else.

2748. I believe your husband was not well on the polling day?—He was very ill indeed.

2749. Did you go with him to vote?—Yes.

2750. Do you recollect Hallowell giving you any directions as to what you were to say about the wine?—No; I do not know that he did.

2751. As to where it came from?—Only from Tolson's; he did not say anything else.

3752. When you went with your husband to vote, did you meet Hallowell?—Yes, he was coming down with a carriage to fetch my husband at the time we were going up from Lockwood to Huddersfield.

2753. Do you remember Bottomley and Ford coming to your husband into the "George"?—Yes.

2754. Did you go in with him?—Yes.

2755. Was that about one o'clock?—Yes.

2756. Where did you and your husband go to when you went into the "George"?—We went into a little room on the first landing.

2757. Did your husband have anything to refresh himself with?—Yes, he had a little wine and biscuit.

2758. Did you pay for that?—No.

2759. Were you sent home in a cab?—Yes.

2760. Your husband voted, I believe, did he not?—Yes.

2761. Who

2761. Who did he vote for?—He voted for Mr. Crosland.

2762. After the election was over, and after your husband had voted, did you send to Mr. Tolson for any more wine?—Yes, I did.

2763. By the *Committee.*] When?—I am not sure whether it was the day after the election, or two days after.

2764. Not more than two days after?—I dare say, about two days after.

2765. Who did you send?—I sent my son.

2766. Mr. Serjeant *Tindel Atkinson.*] Did he bring any back?—He brought a bottle.

2767. Did you send to him afterwards for wine?—Yes, I did.

2768. Was wine sent back?—It was not sent for about a week, and then I had it again; I was about a week without.

2769. You had more wine; and I believe you had it up to your husband's death, at intervals?—Yes.

2770. When did your husband die?—He died on the 27th of August.

2771. With regard to the wine that was supplied to you both before and after the election, did you ever pay for it?—No.

2772. Do you recollect about a fortnight before the election, Denby, one of Hallowell's workmen, coming to your house?—Yes.

Cross-examined by Mr. *Hannen.*

2773. Your husband and Hallowell had been acquainted a good many years?—A long time.

2774. Hallowell had been an intimate friend of your husband?—Yes, he was.

2775. Used he constantly to go to your husband's house?—Yes.

2776. Had your husband been advised by the doctor to have wine?—Yes, he had.

2777. That was Dr. Wilson?—Yes.

2778. Do you know whether Dr. Wilson saw Hallowell?—Yes, I believe he did, and asked him for more wine for him.

2779. You say that when Hallowell came and visited your husband, he was getting worse?—Yes.

2780. When did he begin to get worse?—He was worse after the election, when he had not any wine.

2781. How long before the election had his health begun to break down?—He had been 10 months down, very bad.

2782. When was it that the doctor advised the wine and saw Mr. Hallowell?—It would be more than a month before he saw Mr. Hallowell.

2783. It was about a month before?—Yes.

2784. Was it from that time that Mr. Hallowell was spoken to by Dr. Wilson that you went to get the wine?—No; he had ordered it a long time before I had seen Hallowell; I had bought it myself.

2785. Did you tell Mr. Hallowell that the doctor had recommended wine?—Yes.

2786. Your circumstances were not good, I believe?—No, they were not.

2787. I suppose you only sent for wine when your husband required it?—Yes, I did.

2788. And the day before his death, I believe, you had the last bottle?—Yes.

Re-examined by Mr. *Temple.*

2789. You say that you and your husband and Hallowell had been acquainted a good many years?—Yes.

2790. By Mr. *Hannen.*] When were you asked to give your evidence?—I forget; it is a good while since; I am sure I forget when it was.

2791. Was any offer of money made to you?—No, no money at all.

2792. Did anybody on the other side offer you money to give your evidence?—No.

2793. Or anything else?—No, I never had any money.

2794. Nor any offer?—No.

2795. Was any offer made to you of any advantage to you; having a house fitted up?—No, I never had an offer of anything from either party.

2796. I mean since the election?—No, I have never had any offer of anything at all.

2797. Mr. *Temple.*] You say that your husband and Hallowell had been intimate for a good many years?—Yes.

2798. I believe it was consumption from which he suffered?—Yes.

2799. Did he linger for any time before his death?—Ten months.

2800. Did Hallowell come occasionally to see him during the 10 months?—He came often.

2801. Until a week before the election, did he offer him any wine?—No; it would be more than a week before the election.

2802. Was this the first occasion that he spoke of wine when Hallowell came?—Yes.

2803. How long was that before the election?—I should say it would be a month or three weeks before the election.

2804. After that day, was it about a month before the election that you saw Hallowell; did you go regularly every day to Tolson's and get a bottle of wine?—Yes.

2805. Up to the day of the election?—Yes.

2806. After the election you received some wine, I think you said, up to the day of your husband's death?—Yes.

2807. Did you receive that wine every other day?—Yes.

2808. Every other day after the election?—I could not say every other day exactly, but I think every other day as my husband wanted it.

2809. A month before the election; I understand you to say that your husband had been ill for 10 months, and that Hallowell had frequently called to see him, and until about a week before the election he had never offered you any wine?—No; the doctor had never ordered any before.

2810. Who is Mr. Tolson; is he a wine merchant?—Yes.

2811. What is Hallowell?—A clock finisher.

2812. Was it the first of these occasions that you have spoken of, when Hallowell said you might have some wine, that he asked you to vote for Crosland; was it on this occasion that that took place?—I do not think that Hallowell ever asked him to vote then.

2813. After the first day when you received the wine, between that day and the day of the election, did he ever ask him to vote for Crosland?—I do not remember that he ever did.

FREDERICK KILNER was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

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2814. I BELIEVE at the time of the last election for Huddersfield, you were a Cloth Finisher, carrying on business at that place?—No.

2815. What were you?—A merchant.

2816. Were you in partnership with your brother James?—Yes.

2817. And I believe you were both entitled to vote at the last election?—Yes.

2818. Previously to the election, had you and your family voted for Mr. Leatham?—No.

2819. For whom had you voted previously?—I had no vote.

2820. Your father had a vote?—Yes.

2821. For whom had he voted?—For Mr. Leatham.

2822. By the *Committee.*] Have you a vote?—Yes.

2823. Mr. *Macnamara.*] At the last election you had a vote?—Yes.

2824. But not at the election before that?—No.

2825. Do you know Mr. Hallowell?—Yes.

2826. Had you and your brother been in the habit of buying cloth from him?—Yes.

2827. For some time before the last election?—Yes.

2828. Do you remember about a fortnight before the election, Hallowell coming up to you at Huddersfield, at the time when you were going to Birmingham on some business?—Yes.

2829. State, if you please, what passed between you and Hallowell on that occasion?—Some short time before that I had promised Mr. Hallowell that I would give him my vote, and he came down to see me, and he said, "Well, I suppose you will keep your word; you will give me your vote;" and I said, "Yes;" he said, "Well, you can come up to my warehouse, and you can choose any quantity of goods that suit your purpose."

2830. By the *Committee.*] He told you to come to his warehouse?—Yes.

2831. What did he say?—"You can have any goods you want from what I have in stock." I went up and bought some goods.

2832. Mr. *Macnamara.*] About this time, was there a bill which you had given to Hallowell for 70 *l.*?—Yes, 70 *l.* odd.

2833. Was that coming due about this time?—It was come due shortly afterwards.

2834. Did you say anything to Hallowell about that bill?—I asked him if he would assist me in meeting it, and he said yes, he would; but that I must do the best I could towards meeting it myself, and let him have the remainder back as quickly as I could, and I promised him I would. I wrote to him from Birmingham.

2835. Wait one moment; before you went to Birmingham, did anything pass between you about your voting?—He had asked me several times whether I would give him my vote, and I always promised that I would; I told him so from the first.

2836. Did anything pass between you about your vote at the time he said he would assist you to meet the bill?—Yes, I think he asked me if I would give him my vote. I asked him to assist me in this bill; he told me to do my best, and he said if I wanted any assistance he would do what I wanted.

2837. He spoke to you about your vote, and asked you for it, and you said yes, and then you asked him to assist you about the bill, and then he said he would?—Yes.

2838. Did he assist you in taking up the bill?—Yes; I think he let my brother have 70 *l.* while I was away in Birmingham.

2839. Was that for the purpose of taking up that bill?—Yes.

2840. Then, I believe you went to Birmingham, and while you were there, did you receive a letter from Mr. Hallowell?—Yes, I did.

2841. I believe you have not that letter?—No.

2842. What has become of it?—I think I burnt it along with some more.

2843. In consequence of that letter, did you go to Huddersfield from Birmingham?—He wrote, and said in that letter ——

2844. I do not want the contents; did you, in consequence of that letter, go to Huddersfield?—No.

2845. Did you go to Huddersfield on the day before the election?—Yes.

2846. You did?—Yes.

2847. When you got to Huddersfield, where did you go to?—There was a gentleman who met me at the station, and he asked me if I would go to the "George," and I said "Yes."

2848. Did you go to the "George"?—Yes.

2849. When you got to the "George," where did you go then?—Inside.

2850. By the *Committee.*] Was this the polling day, or the nomination day; was this the evening before the polling day?—Yes.

2851. Mr. *Macnamara.*] When you got to the "George," where did you go to?—We went into the first room on the right-hand side as we went in. I do not know the name of the room.

2852. In the passage as you go in?—Yes.

2853. When you went in there, were you introduced to anybody?—Yes.

2854. To whom?—Mr. Crosland.

2855. Would that be Colonel Crosland?—Yes.

2856. Did Colonel Crosland speak to you?—I shook hands with him, and I think he said, "I suppose you are going to vote for me," or something to that effect, and I said "Yes," and he said he would like me to poll early.

2857. I believe the next day you went and voted for Crosland?—I did.

2858. After you had voted for him, did you see Hallowell on the same day?—I did.

2859. What did he say to you?—He asked me if I had voted, and I said "Yes."

2860. What did he say then?—He said he was much obliged, shook hands, and went away.

2861. By the *Committee.*] Who was it introduced you to Colonel Crosland at the "George"?—He was quite a stranger to me.

2862. Mr. *Macnamara.*] Where had you met that stranger?—At the station.

2863. When you arrived at the station was that the same person who came up and spoke to you?—Yes.

2864. And asked you to go to the "George"?—He

—He asked me if I would go into the "George," and I said "Yes."

2865. After you had seen Mr. Hallowell on the polling day, or, indeed, upon that occasion, did you ask him for anything?—No.

2866. I mean to get back to Birmingham from Huddersfield?—After the election I told him I wanted to go back to Birmingham and I asked him if he could get me a pass, and he referred me to Mr. Eaton, and he said he could not get me a pass, that they would not recognise it at the station.

2867. Mr. Eaton told you so?—Yes.

2868. Then did you go back to Hallowell?—Yes.

2869. What did you say to him?—I told him, and he said "You must pay your own fare, and if you make a note of it, I may get it for you."

2870. Did he say that he would make a note of it, or that you were to make a note of it?—He said, "Make a note of it, and I will try and get it for you." *F. Kilner.* 26 April 1866.

Cross-examined by Mr. *Hannen.*

2871. You bought goods at Hallowell's?—Yes.

2872. Had he also before that assisted you when you wanted accommodation in renewing bills?—Yes, several times.

2873. Had you promised him to vote for Colonel Crosland from the beginning?—Yes.

2874. You say you went and bought some goods?—Yes.

2875. When he said that you could come up and select goods out of his warehouse, did you buy the goods in the ordinary way and at the ordinary market price?—I did.

JAMES KILNER was called in; and, having been sworn, was Examined by Mr. *Temple,* as follows:—

2876. Are you brother of the last witness, Frederick Kilner?—Yes. *J. Kilner.*

2877. You know Mr. Hellawell?—Yes.

2878. Had you had dealings with Mr. Hellawell in the way of your business previously to the last election?—Yes, for years.

2879. Previously to the last election had Mr. Hellawell ever canvassed you for your vote?—Yes.

2880. When he canvassed you for your vote, what answer did you give him?—I told him I should not pledge myself for either party.

2881. Did that occur once or several times?—Several times.

2882. We have been told that you had a bill for 75 *l.* coming due about the time of the election?—Yes.

2883. Do you remember an interview with Mr. Hellawell about that bill; do you remember seeing him about the bill before it came due?—Yes.

2884. What did you tell him about it?—I told him I should not be able to advise the bill.

2885. Did you ask him anything?—I wished him to assist us with it if he could.

2886. What did he say?—He asked how much we should be likely to want.

2887. Did you mention any sum?—No, I did not know at that time.

2888. At the time you had this conversation about his assisting you to meet that bill, had you any conversation about the election?—Not at all.

2889. After this conversation, and before the bill became due, and it became necessary to advise it, had you any conversation with Mr. Hellawell about the election?—No.

2890. After that conversation about the bill, and before the day of the election, did he canvass you again for your vote or not?—He did.

2891. After he had promised to assist you and held out hopes that he would assist you, and he canvassed you again, did you then tell him whom you would vote for?—Yes.

2892. Whom did you say you would vote for?—Mr. Crossland.

2893. The bill became due, I believe, before the day of the election?—Yes.

2894. Did he furnish you with any money to meet it?—Yes.

2895. How much?—£. 70.

2896. Then I suppose the bill was renewed, was that so?—No, not after that; it was renewed before.

2897. It had been a renewed bill?—Yes.

2898. On this occasion he furnished you with 70 *l.* out of the 75 *l.* to meet it?—Yes.

2899. On any one of those occasions, when he canvassed you for your vote, did he say anything about Colonel Crosland and his warehouse?—Yes.

2900. What did he say?—After I had promised to support Colonel Crosland he said, that perhaps he might be able to take us into Colonel Crosland's warehouse, and see if we could not have some goods, and perhaps he might not be particular as to the time they would be paid for.

2901. During these times when he canvassed you did he ever say anything to you about standing your friend?—Yes.

2902. What did he say?—He said if we voted for Colonel Crosland, he would stand our friend as long as he lived; but he had always been our friend before that.

2903. Had you intended to vote for either Colonel Crosland or Mr. Leatham before these interviews with Mr. Hellawell?—My mind was not made up on that point.

2904. What caused you to make up your mind?—I had said that if Mr. Leatham supported the Permissive Bill I should vote for him, and I certainly should have done so, and I said if he did not, I would not support him.

2905. Did you ever try whether Mr. Leatham would vote for the Permissive Bill or not?—Yes; I had been told several times that he would not support it.

2906 Was that the cause of your voting for Colonel Crosland, or not?—Partly, it was.

2907. What was the other part of the motive?—Well, if I had not supported Mr. Crosland I should have stood neuter, and should not have supported either.

2908. What was the other thing that partly induced you to vote for Colonel Crosland?—Mr. Hellawell's friendship.

2909. As I understand, you had not made up your mind how you would vote until this conversation about the bill; was that so or not?—I had

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had not made up my mind to vote for either party.

2910. Until the conversation about the bill?—I did not make it up then.

2911. Did Mr. Hellawell request you to write to your brother to come over from Birmingham?—Yes.

2912. Will you just read this over (*handing a paper to the Witness*)?—Yes.

2913. Now, look at the end of it, and see if you signed it; is that your signature?—Yes.

2914. Was it not the promises that were made to you by Mr. Hellawell that induced you to vote for Colonel Crosland?—Partly it was.

2915. Can you not distinctly swear that if it had not been for those promises you would not have voted for Colonel Crosland?——

Mr. *Hannen* objected to the question.

Mr. *Temple* was heard against the objection.

The *Committee* overruled the objection.

2916. Mr. *Temple.*] Can you not distinctly swear that if it had not been for those promises made by Mr. Hellawell to you you would not have voted for Colonel Crosland?—Had it not been for those promises and his friendship, I should have stood neuter.

2917. Then the promises did influence you in not standing neuter?—Not the promises alone.

2918. Have you never stated that you could distinctly swear that you would not have voted for Colonel Crosland had it not been for the promises made to you by Mr. Hellawell——

Mr. *Hannen* asked whether the Committee thought the question admissible.

The *Chairman* stated that the witness had stated distinctly that it was partly on account of Mr. Hellawell's friendship and partly on account of the promises.

Mr. *Temple* said he would not press the question.

Cross-examined by Mr. *Hannen.*

2919. Had not Mr. Hellawell been your friend for years before this?—Yes.

2920. And the friend of your family?—Yes.

2921. Had he from time to time advanced money, when you were in want of it, to meet bills?—Yes.

2922. Was this a bill to which he himself was a party; was he drawer or endorsee of it?—He was the drawer of the bill.

2923. Therefore if he had not made you an advance to meet it, would he himself have been liable on that bill?—Yes.

2924. Did you take a particular interest in the Permissive Bill?—I did.

2925. If Mr. Leatham had been a supporter of that Permissive Bill was it your intention to vote for him?—Yes.

2926. Was it not the fact that Mr. Leatham denounced that Bill in very strong terms?—I believe he did.

2927. Did Mr. Hellawell ever address any word to you further than asking you to vote for Colonel Crosland. Did he ever address any word to you in the nature of a promise or an inducement to you to vote for Colonel Crosland?—Well, he said after I promised my vote, he could perhaps introduce me to Colonel Crosland's warehouse.

2928. Was that after you had promised to give your vote to Colonel Crosland?—Afterwards.

2929. Does Colonel Crosland deal in the same goods as you deal in?—I am sure I do not know, we never had any transaction with Mr. Crosland.

2930. Are Mr. Crosland's firm manufacturers of things that you deal in?—They are woollen manufacturers, but their class of goods I never saw: we never had any transactions with them.

2931. Then he does not deal in anything you want to sell?—I do not know.

2932. You never inquired?—No.

2933. And you never went there?—I never was there.

2934. You have since become bankrupt, I believe, have you not?—Yes.

2935. And I believe it was Mr. Hellawell who threw your affairs into bankruptcy?—It was.

Re-examined by Mr. *Temple.*

2936. Then Mr. Hellawell has not been a friend to you all your life?—Not with regard to that.

2937. He promised it?—Yes.

2938. But after the election he made you a bankrupt?—Yes.

Examined by the *Committee.*

2939. Did you ever repay the 70*l.*?—Partly; we paid 20*l.* of that 70*l.* back again on the day before the election.

2940. Anything since?—No, we were made bankrupts directly afterwards.

2941. Did Colonel Crosland pledge himself to vote for the Permissive Bill?—No, I believe neither of them did.

JAMES KILNER, Sen. was called in; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson,* as follows:

J. Kilner, Senr.

2942. YOU were a Voter at the election for Huddersfield the last time?—Yes.

2943. Were you canvassed by both parties?—No.

2944. Who canvassed you?—Mr. Hellawell.

2945. Who was your candidate if you had voted?—Mr. Leatham.

2946. Did you see Mr. Hellawell upon the subject of your vote more than once?—Yes.

2947. Did he call upon you?—Yes, he called at the shop that my sons kept; I was there.

2948. When he asked you, what did you tell him?—He said, "You will vote for Crosland; you promised us to vote for Crosland;" I said, "No, I never did anything of the sort." "Well, but" he says, "you will vote for us." I said, "I shall not promise you that, Joe."

2949. You called him "Joe" did you?—Yes.

2950. About a week previously to the election did he come to your shop?—Yes.

2951. Did he ask you to vote then?—Yes.

2952. What did you say to him?—I told him that I should not vote for Colonel Crosland.

2953. What did he say to that?—He said, "Well, but if you will not vote for Colonel Crosland, you will not vote against us; you must go away; and if your son James will not vote for Colonel Crosland you must take him away, and I will

will see that you have your expenses paid, both of you, and I will go to the committee now and see them about it."

2954. Was anything said about his losing money about the election?—Yes.

2955. What did he say?—He said "But you must vote for us, for if Colonel Crosland does not get in, I shall lose many hundred pounds." I said, "Well Joe, I am very sorry to hear it, for I think you will lose the money." He says, "No, I do not think I shall." He said, "Well, but if you will bet a new hat that Colonel Crosland will get in, if you lose I will pay for it."

2956. On the nomination day did you go to Bradley station?—Yes; it was the day before the election.

2957. Did you meet with your son, Edwin?—Yes.

2958. Did you see Mr. Hellawell?—No, not there.

2959. Where did you see him afterwards?—I never saw him afterwards.

2960. Did you see him before you went to Bradley station?—No; I did not see him that day at all.

Cross-examined by Mr. *Hannen.*

2961. Did you know what way your son James was going to vote?—Sir?

2962. Did you know that your son James had promised to vote for Mr. Crosland?—I was not aware that he was going to vote for Mr. Crosland, until I was just going away, he told me that he intended to vote for Mr. Crosland.

2963. What day was it?—It was the day I went away.

2964. What day was that?—The nomination day, I think.

2965. James did not go away; you did not take James, did you?—I did not take James.

2966. You paired off with somebody, I believe?—Well, I went away, and I might.

2967. Did you pair off with somebody; surely you understand the question; did you pair off with somebody?—Yes.

Re-examined by Mr. *Temple.*

2968. Whom did you pair off with?—Mr. William—I forget his name.

2969. Where did you go to when you say you paired off?—To Ripon.

2970. Who went with you to Ripon?—This same gentleman and his brother, and Mr. Woodhouse.

2971. By the *Committee.*] Who was the party you went to Ripon with?—I tell you I forget his name.

2972. Mr. *Temple.*] If you do not know the man's name, how do you know that he was a voter pairing off with you?—I know the man's name very well, if I can call it to mind.

2973. Was it Middlemast?—Yes.

2974. Did you know Mr. Middlemast before?—Yes, I knew him previously. *J. Kilner, senr.* 26 April 1866.

2975. Did you understand Mr. Middlemast to be a voter for Mr. Crosland?—No, I did not know who he would vote for.

2976. Did you understand what my friend meant when he asked you if you paired off with anybody?—Mr. Middlemast said, if I would go away, he would; I told him, if he was going away I would go with him.

2977. Do I understand you that you did not know who Mr. Middlemast was going to vote for?—I could not say who he was going to vote for.

2978. He did not say who he was going to vote for?—I do not know that he did.

2979. Then Middlemast, and Woodhouse, and somebody else asked you to go to Ripon?—I do not know that there was any particular place mentioned.

2980. How came you to go to Ripon?—I came to go to Ripon in consequence of not voting for Mr. Leatham.

2981. Who asked you to go to Ripon?—Well, we had arranged to go there; we arranged among ourselves.

2982. What we?—Mr. Middlemast, and my son, and me.

2983. Who proposed it?—I do not know that anybody proposed it.

2984. Did you propose going to Ripon?—Perhaps I proposed it.

2985. Was it proposed by anyone amongst you, that you should go away so as not to vote for Mr. Leathem?—Well, I suppose if I went away I could not vote for Mr. Leatham; I went away with the intention not to vote.

2986. Was that the reason of your going away, that you might be at Ripon on the day of the election?—It was partly my reason; the reason partly I went away was because of Mr. Hellawell making the promises to my son that he had done, and in consequence of that I went away.

2987. I understand that you went to Ripon, so as not to vote for Leathem, partly on account of promises made to your son, and partly in order that you might be out of the way; is that what you said?—Yes.

Examined by the *Committee.*

2988. Did Woodhouse go with you to Ripon?—Yes.

2989. He went with you?—Yes.

2990. Who else?—My son and Mr. William Middlemast, and Mr. William Middlemast's brother.

2991. By Mr. Serjeant *Tindal Atkinson.*] Which Woodhouse was it?—I only know that gentleman, I do not know another Mr. Woodhouse.

WILLIAM HOYLE, was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

2992. ARE you a Butcher at the West Parade, in Huddersfield?—Yes. *W. Hoyle.*

2993. Were you entitled to vote at the last election for Huddersfield?—Yes.

2994. About six weeks before the election, were you canvassed for your vote on behalf of Colonel Crosland?—Yes.

2995. Who canvassed you?—Mr. Crosland and Mr. Aston.

2996. Do you mean Colonel Crosland?—Yes.

2997. Who was with him when he canvassed you?—Mr. Aston.

2998. William Henry Aston?—Yes.

2999. Anybody

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2999. Anybody else, that you remember?—Mr. Scholefield.

3000. Anybody else?—There was another gentleman, but I do not know his name.

3001. I believe you promised your vote to him?—Yes.

3002. Soon after that did you fall into difficulties, and were you obliged to close your shop?—Yes.

3003. I believe, shortly before the election you were employed by Mr. Mills, a stationer, to arrange cards for Mr. Leathem's election?—Yes.

3004. Do you remember the Monday before the election?—Yes.

3005. On the Monday before the election, do you remember your father coming to you?—Yes.

3006. In consequence of what he said, did you go toward the "Green Dragon," in Market-street?—Yes.

3007. Who did you meet there?—Mr. James Waller.

3008. Is that the brother of Mr. William Waller, the woolstapler?—Yes.

3009. When you met James Waller, what did he say to you?—He asked me to go to the "Cherry Tree Inn."

3010. Did you go?—Yes.

3011. What took place there?—We went upstairs, and he asked me what I was doing yonder; I suppose that meant by the "Queen." I told him that I had my shop shut up, and that I was in difficulties, and that I must do something for a livelihood.

3012. What did he say to that?—He said if I had let him know a fortnight or three weeks before, he could have employed me at the "George Hotel" at 10*s.* a day.

3013. Go on?—That was all about the 10*s.* a day.

3014. What further passed between you?—Well, he said that he had been a good friend to me; I said he had, and I acknowledged it, and I thanked him for it. He says, "I suppose you are going to vote for Mr. Leatham;" I says, "Yes, sir." I says, "Mr. Leatham is my man." "Well, William," he says, "you are very foolish if you go against your own livelihood." He says, "You have a good many of Mr. Crosland's customers." Of course he kept talking, and he says, "Now, will you promise me to vote for Mr. Crosland;" and I said, "I will see about it." He asked me when I would let him know; I told him I would let him know the day after, and that would be Tuesday.

3015. Did he on that occasion say that he would do anything if you voted for Colonel Crosland?—He said, if I voted for Colonel Crosland after the election, he would see that I had my shop opened.

3016. On the Tuesday did you go again to the "Cherry Tree Inn"?—Yes.

3017. With your father?—My father was there.

3018. Did you find Mr. Waller and your father there?—Yes.

3019. By the *Committee.*] What business is Waller?—A woolstapler.

3020. What is your business?—A butcher.

3021. Mr. *Macnamara.*] When you got there on Tuesday, what did Waller say to you?—He said, "Well, William, have you made up your mind; I says, "Yes;" he says, "How is it;" I says, "I shall vote for Colonel Crosland;" He says, "Now you come down to my warehouse in the morning; I want to see you about something;" I went in the morning.

3022. Did anything more pass between you on that Tuesday about Colonel Crosland; did you tell him why you should vote for Colonel Crosland?—Yes.

3023. Why?—As he told me that I should be going against myself by voting for Mr. Leatham, I had considered it all over, and he had been a friend, and would be again, and of course I should vote for Colonel Crosland.

3024. When you told him you would vote for Colonel Crosland, what did he say to you?—"Well," he says, "you must come down to my warehouse in the morning."

3025. Did you go on the following morning to his warehouse?—Yes.

3026. That would be the nomination day?—Yes, the Wednesday.

3027. When you saw him there, what did he say to you?—He says, "Come on with me to the 'George.'"

3028. Did you go with him to the "George"?—Yes.

3029. When you got there, into what room did you go?—We went into the first room on the right hand side; it is opposite the bar.

3030. Were there any persons in there that you knew?—There was only one that I knew then, and that was Mr. Joseph Bottomley, the solicitor.

3031. Was there any other person whose name you afterwards ascertained?—Yes, Mr. Thomas Clay.

3032. By the *Committee.*] Did Waller go with you into this room?—Yes.

3033. Mr. *Macnamara.*] When you got into this room, did Mr. Waller say anything?—Yes, he says, "Mr. Clay, I have got a recruit here for you;" he says "he cannot make up his mind, he is a doubtful one."

3034. By the *Committee.*] He said you were a doubtful one?—Yes.

3035. He said that to Clay?—Yes, Mr. Waller said so.

3036. Mr. *Macnamara.*] Having said that to Clay, did Waller say anything to you?—Yes; he says, "I have engaged him as a messenger."

3037. By the *Committee.*] Who said this?—Mr. Waller said this to Mr. Clay.

3038. Mr. Waller said that he had engaged you as a messenger?—Yes, for Wednesday, Thursday, and Friday.

3039. Mr. *Macnamara.*] Did anything else take place there on that occasion?—Yes.

3040. What was it?—Mr. Clay said, "Now then, young man, make up your mind;" we want to know who you are going to vote for"?—I said, "Yes sir, I am going to vote for Colonel Crosland."

3041. What then took place?—I then went out with Mr. Waller, and he said I had nothing to do, only just keep popping into the room to see if they wanted me.

3042. What did you do then; did you remain about the inn?—Yes.

3043. While you were there in front of the inn, who came up to you, if anybody?—There was no one that I recollect.

3044. Did you see James Waller that morning?—Yes, he was with me that morning.

3045. Did James Waller make any appointment

ment with you for the next day?—Yes; this was on the Wednesday afternoon.

3046. What was it?—I saw him on Wednesday afternoon, the nomination day, and I was by the side of Mr. Southerley, the saddler; he says, "Well, William, how are you getting on?" I says, "All right." He says, "Have you had your dinner?" I said, "No, sir." He says, "Come along with me, and you shall have it."

3047. Where did you go to?—To the "Wellington" inn.

3048. Did you have any dinner there?—Yes; I had a little beef and bread, and a bottle of soda-water, upstairs.

3049. Were you going towards the "George" from there?—Yes, after that I was with his brother William.

3050. Then what took place?—I wanted to see my father about something. He says, "He is at the "George" with my brother James.

3051. Was it James Waller who said this?—No; William Waller.

3052. Was James Waller present with you?—No.

3053. Keep to James Waller; I ask you, as a fact, was it then arranged that you should go to James Waller's warehouse?—Mr. William Waller asked me to go on to the "George" to see my father there. I went on, part of the way, close by where the hustings were. I said, "No, I am not going, because if anyone sees me go, they will say they are going to bottle me, and I will not go.

3054. When you said you would not go, was it arranged you should go somewhere else?—Yes.

3055. Where?—To Mr. James Waller's warehouse; I was to go then.

3056. Did you go there?—Yes.

3057. How long did you remain there?—I dare say from five to ten minutes.

3058. Where did you go to?—From there I went to the "George Hotel."

3059. What room did you go into when you went into the "George Hotel"?—It was a kind of dressing-room.

3060. This was still on the Wednesday?"—On the Wednesday afternoon.

3061. While you were in this room, which you say was a kind of dressing-room, did anyone come to you?—Yes.

3062. Who?—Colonel Crosland came.

3063. What did he say to you?—He shook hands with me, and he said—(I am not certain whether he said "William Hoyle" or "Mr. Hoyle")—he said, "You have had a very rough passage from the warehouse here."

3064. What had you had to go through in getting from the warehouse to the "George;" what was the rough passage?—There was a deal of people, many hundreds, about the warehouse.

3065. What had happened to you?—In the first place, when I was in the warehouse (I had not been there five minutes), there was a horse run away; I run out and see the horse.

3066. And you came out?—Yes. When I got to the top of the yard, there were I don't know how many people at me; some held to my arms and some to my legs, and I got a bat over my eye and a punch in the side.

3067. You say Colonel Crosland said, "You have had a rough passage here"?—Yes.

3068. What else did he say?—He says, "I never see my friends lost."

3069. I believe that was all that passed between you then?—Yes.

3070. As you were coming out from there, did you see your wife in the passage?—Yes.

3071. Who else?—There was Mr. James Waller.

3072. I believe your wife wished you to go home, and you declined?—Yes.

3073. After that, did you go into another room at the "George"?—Yes.

3074. What room was that?—The Brougham room.

3075. Did you have anything there in the shape of refreshment?—Yes.

3076. What did you have?—Either soda water or lemonade, I am not certain.

3077. By the *Committee.*] No beer?—No.

3078. Mr. *Macnamara.*] While you were in that room who came into it?—Mr. Bantoft.

3079. Mr. Bantoft, the solicitor?—Yes.

3080. When Mr. Alfred Bantoft, the solicitor, came in, what did he say to you?—"Holloa!" he says, "William, are you here"? I have known Mr. Bantoft a long time. I said, "Yes." He said, "How are you going on in your business"? I says, "I have been rather unfortunate in it." He says, "Indeed, how is that"? I told him. He says, "A fair question, now, what will set you straight? What will set you going again in the world"? I told him that eighty pounds would. "Oh," he said, "that is nothing much. You can have that, and a trifle more, if you want it."

3081. What did you say to that?—"Well," I said, "I should be very glad if I could have it lent to me, or as a gift."

3082. What did Mr. Bantoft say to that?—He says, "You can have it; there will be a few friends of mine here to-night, and supposing it is only five pounds a-piece, I can very soon get it.

3083. Did he say anything about where you were to stop?—No.

3084. Did you leave the room soon after?—Yes.

3085. Who came into that room afterwards while you were there?—My wife came.

3086. Anybody else?—While she was there, there were Mr. James Waller, Joe Bottomley, the solicitor, Joe Wrigley, junr.

3087. Were they all in the room together with you and your wife?—Yes.

3088. State what passed then?—My wife wanted me to go home. Of course I told her what Mr. Bantoft had told me.

3089. Did the other three who were in the room hear that? Did you say it loud enough for them to hear?—No.

3090. You talked to her?—I told it to her.

3091. When she wanted you to go home, state what passed?—I says, "Now, Mr. Bantoft has given me a very good offer, and I think it will be as well for me to stop at the 'George;'" Mr. Bantoft said, "Yes, it will, William."

3092. By the *Committee.*] Was Bantoft listening to this conversation?—Yes, he was there with my wife.

3093. Mr. *Macnamara.*] Then Bantoft left, and you tell us Mr. Waller, and Mr. Bottomley, and Mr. Wrigley were there together with you and your wife?—Yes.

3094. State what any of them said?—My wife wanted me to go home. I says, "Now, Ann, Mr. Bantoft has promised to do me a great deal of good;" "Well," she says, "my father has been

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been a good friend to you, and we must look to my father before them." I think it was Mr. Bottomley, I am not certain, however, it was one of the three said, "Oh! you know what we have promised; we shall see you all right as well as your father; we shall be as good friends as your father has been.

3095. By the *Committee.*] Who said this?—One of the three.

3096. Mr. *Macnamara.*] Was this said loud enough for the others to hear it?—It was said in the presence of my wife.

3097. Could the others hear it?—Yes.

3098. By the *Committee.*]—It was said either by Bottomley, Waller, or Wrigley?—Yes, one of the three.

3099. Mr. *Macnamara.*] You said you would stay at the "George"?—Yes.

3100. Was it arranged how long you should stay at the "George"?—No.

3101. Did your wife remain with you at the "George"?—Yes; that night she did.

3102. Did you sleep there that night?—Yes.

3103. Did you and your wife have tea there?—Yes.

3104. Who ordered it for you?—Mr. James Waller.

3105. Did he say anything about your having refreshment?—Yes; he said we could have anything we had a mind.

3106. After your tea was over, do you remember Mr. Bantoft coming back into the room?—Yes.

3107. While you and your wife were there?—Yes.

3108. This was on the nomination day?—Yes, on the Wednesday.

3109. What did Mr. Bantoft say to you or your wife, when he came in?—He came in, and said, "Well, William, have you told your wife about what I have promised you?" I said, "Yes, sir."

3110. By Mr. *Rodwell.*] This was in your wife's presence?—Yes.

3111. Mr. *Macnamara.*] What did he say?—She said, "Mr. Bantoft, my father has been a good friend to William." "Well," he says, "never mind your father; we shall be as good friends as ever he has been or ever will be."

3112. Then you say you and your wife slept at the "George" that night?—Yes.

3113. On the next day, being the polling day, did you and your wife have breakfast there?—Yes.

3114. Who came into the room in the morning, while you were at breakfast, or about that time?—Mr. Bantoft and James Waller came in.

3115. What did Mr. James Waller say when he came in, or what did you say to him?—He asked me how I felt, and I told him I felt rather nervous.

3116. Did you say why you felt nervous?—On account of the row there was the day previous, with being knocked up and down so.

3117. What did he say?—He said, "Get a glass of bitter ale on to you; it will take it off."

3118. Did you follow that advice?—Yes, I got two.

3119. I believe you went and voted for Colonel Crosland?—Yes.

3120. Did anyone take you from the "George" to the polling booth?—Yes.

3121. Who?—Mr. Joe Vickerman and Mr. William Waller.

3122. You went with them?—Yes.

3123. After you had voted, did you go back to the "George" again?—Yes.

3124. Did you find your wife there still?—Yes.

3125. While you were there with your wife, did anyone come into the room where you were?—Yes, Mr. James Waller came in.

3126. When he came in, what did he say to you?—He says, "Have you been and polled, William?" I says, "Yes." He says, "Who for?" I says, "Colonel Crosland." He says, "All right."

3127. What else did he say?—He said we were to make ourselves as comfortable as we could, and get anything we had a mind for to eat and to drink.

3128. Did you do so?—Yes.

3129. What did you and your wife have?—We had a small bottle of porter and some cold beef and bread.

3130. A luncheon, I suppose?—Well, it was for dinner; they had no time to wait upon us as they ought to have done, they were so busy, the waiter said.

3131. Was anything said about your remaining at the "George"?—Yes.

3132. What was it?—Mr. James Waller said I had better sleep at the "George" that night.

3133. Did he say why?—No.

3134. Did you consent?—Yes.

3135. Did you stay there all that night?—Yes.

3136. And live there and have your refreshments there?—Yes.

3137. After the declaration of the poll on the Friday did you hear a noise in the "George," when you were there?—Yes.

3138. In what room was that noise?—I do not know what room, but it is a new wing to the building.

3139. Was it a long room at the back, as you go in from St. George's-square?—Yes.

3140. Hearing a noise, did you go there?—Yes.

3141. State what you found when you got there?—There was a deal of people; from 100 to 200 I should think; and I met Colonel Crosland coming out as I went in.

3142. What were these people doing when you got there?—They were drinking champagne.

3143. What was going on besides drinking champagne; what was the noise you heard?—Mr. Wrigley said they were to have one glass of champagne and drink it to the Colonel's health, and then leave the room.

3144. Was there shouting going on in the room?—Yes, there was a good deal of tumult.

3145. Did you have any champagne?—Yes.

3146. How much did you have?—I had two glasses or three; I am not certain.

3147. I believe after that you left the "George" on that day?—Yes, on the Friday night.

3148. How long had you been at the "George" altogether?—From Wednesday afternoon until Friday night.

3149. And your wife with you, during a good part of that time?—Yes.

3150. Did you pay anything for what you and your wife had?—No.

3151. By the *Committee.*] You paid nothing for all that?—I paid nothing.

3152. Mr. *Macnamara.*] Do you remember, on the Saturday after the election, seeing Mr. Bantoft?—Yes.

3153. What

3153. What passed between you then?—I went to see if he would fulfil what he said. This was on the Saturday.

3154. What did he say?—"Well, William," he says, "I have not forgotten you." He says, "I have not had any time to look after my friends or look them up," or something like that. "However," he says, "I will let you know." He says, "I will see you again."

3155. I believe you were not helped to open your shop?—No.

3156. Do you remember, soon after the election, meeting Mr. James Waller?—Yes.

3157. What did you say to him?—I met him, and I said, "Now, Mr. Waller, you promised me 10*s.* a day for the three days, and when I wanted the money I was to ask you for it." "Well," he says, "William, I am very sorry, but I cannot give it you, because if the other side got to know, they would call it bribery."

Cross-examined by Mr. *Rodwell.*

3158. When was that, pray, Mr. Hoyle?—About a month after the election.

3159. Where?—In Westgate.

3160. Anybody present?—No.

3161. What time of the day?—About 12 o'clock, perhaps.

3162. Day of the week?—On the Tuesday.

3163. The day of the month?—I do not know.

3164. On a Tuesday, after the election, and about 12 o'clock in the day?—Yes.

3165. Will you be good enough to tell me whereabout in the street; near whose shop, or whose house was it?—It was near Mrs. Mary Bradley's, the fishmonger's.

3166. About 12 o'clock in the day?—Yes.

3167. And no one present but you and James Waller?—No.

3168. When were you asked to vote at all at that election either for Colonel Crosland or Mr. Leatham?—I was never asked to vote for Mr. Leatham at all.

3169. When were you first asked to vote for Colonel Crosland?—It would be about six weeks before the election.

3170. Who asked you?—Colonel Crosland.

3171. Did you promise him?—No.

3172. What did you say to him?—I says, "Well, I have told Mr. Dyson Taylor."

3173. Who is he?—Mr. Crosland's brother-in-law. He had asked me perhaps nine months before, when Colonel Crosland put forward his address; I told Mr. Dyson Taylor that I should vote for Colonel Crosland then, if he came out; and I told Colonel Crosland, that if he had come out then I should have voted for him; but as it was, now, I could not vote for him. And he says, "You still adhere to that?" And I says, "Yes, sir." And he said, "Good day."

3174. Why could you not vote for him; why did you say you could not vote for him then?—I do not know.

3175. Tell me why; was there any particular reason?—No, not particular.

3176. Was it true that anything had occurred to make you change your mind?—No; only I rather felt inclined to vote for Mr. Leatham after that.

3177. What is your father-in-law's name?—Jonas Horsfall.

3178. He is a supporter of Mr. Leatham?—Yes.

3179. Did he ever ask you to vote for Mr. Leatham?—No.

3180. Nor your wife?—No.

3181. Your wife never asked you to vote for Mr. Leatham?—No.

3182. Never spoke to you about it?—No.

3183. You are sure of that?—Yes.

3184. Were you employed in any way for Mr. Leatham in the election?—Yes; I was employed by Mr. Mills for Mr. Leatham.

3185. As what?—Arranging the cards.

3186. Who got you that appointment?—I don't know; Mr. Mills came up for me on the Friday afternoon, but who sent him I cannot tell.

3187. You told us just now about this conversation with Mr. Bantoft, and so on, and need not go through the whole of that again. Had Mr. Bantoft spoken to you about your vote?—Previous to that?

3188. Yes?—Yes.

3189. I want you to be very particular about this: when did Mr. Bantoft speak to you about your vote?—On the Wednesday afternoon; the nomination day.

3190. Was that the first time he had spoken to you?—The first time.

3191. Tell me what he said to you about your vote?—Well, he says, "William, you have had a rough journey; what has all this bother been about?" I says, "Well, I cannot tell, only that I promised to vote for Colonel Crosland nine months ago, and now I have changed my mind."

3192. That was on the Wednesday afternoon?—Yes; the nomination day. He says, "Why, what has made you change your mind?" I said, "I could not tell; in fact, I cannot tell what made me change my mind." Then, of course, he began asking me about my business.

3193. What did he say about your voting?—He did not mention anything more about voting.

3194. Had you not, before this Wednesday afternoon, promised Waller to vote for Crosland?—Yes, on the Monday.

3195. When you spoke to Mr. Bantoft on the Wednesday afternoon, you had promised to vote for Crosland?—Yes; to Waller.

3196. Did you intend to keep your promise?—Yes; when I got to the "George."

3197. Was it being taken to the "George" that made you keep your promise?—No.

3198. What had going to the "George" to do with keeping your promise?—Because I promised Mr. Waller on the Monday.

3199. And therefore, on the Wednesday afternoon, when you told Mr. Bantoft you had not made up your mind, and you were rather inclined to vote for Mr. Leatham, that was not true?—You misunderstand me, I think.

3200. I think I do.—I promised to vote for Mr. Crosland on the Monday afternoon, to Mr. Waller; Mr. Bantoft came and said, "What is all this racket about?" this was on the Wednesday afternoon; I says, "Well, nine months ago——"

3201. So you have told me, and I do not want all that again; but I want this fact; you promised Waller that you would vote for Mr. Crosland on the Monday afternoon?—Yes.

3202. Mr. Bantoft spoke to you about voting for Crosland on Wednesday afternoon?—Yes.

3203. Did you tell him you were going to keep your promise or not?—I told Mr. Bantoft I should vote for Colonel Crosland.

W. Hoyle.
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3204. Nothing more passed about voting?—No.

3205. Was that the same occasion that he made you this promise about the money?—Yes; on the Wednesday afternoon.

3206. Was anybody present at the time Mr. Bantoft made that promise to you?—No.

3207. Nobody?—No.

3208. To whom did you first mention that promise having been made?—I mentioned it to my wife.

3209. The same day?—Yes, directly afterwards.

3210. You are sure she never spoke to you about your voting for Mr. Leatham?—No.

3211. Never?—No.

3212. That you are quite sure of?—Not to my recollection.

3213. Did you go into the "George" voluntarily, on the occasion you have been speaking of?—Yes, I did.

3214. Did not the police interfere, and bring two of Mr. Leatham's supporters, to see you were not forced in there against your will?—There were a good deal of Mr. Leatham's supporters there, as well as Mr. Crosland's.

3215. The violence you expected was from Mr. Leatham's people, was it not?—I am sure I cannot tell you who it was from, because they were all in the crowd; I did not know who were the supporters on either side.

3216. Since the election, have you written to Colonel Crosland?—Yes.

3217. What did you write to him about?—

Mr. *Temple* objected, that the letter ought to be produced.

Mr. *Rodwell* said, the letter was not in existence.

3218. Who did you send those letters to?—To Colonel Crosland.

3219. Were those begging letters?—

Mr. *Temple* objected to the question, on the ground that the contents of the letters could not be stated without proof of their having been lost.

3220. Mr. *Rodwell.*] Did you get any answer to those letters?—No.

3221. Have you opened your shop again?—Yes, I have.

3222. Who helped you?

Mr. *Temple* objected to the question, on the ground that if the object was to show that the witness had been set up in business by any person connected with Mr. Leatham, or on Mr. Leatham's behalf, it was irrelevant.

Mr. *Rodwell* stated that he would not press the question.

3223. Mr. *Rodwell.*] Mr. Bantoft said to you, "Have you told your wife what I have promised you?"—Yes.

3224. He asked you that?—Yes.

3225. That was in the presence of Waller, was it not?—No.

3226. Was anybody by?—No.

3227. Can you give me any occasion on which you had any conversation about this money, and helping you in business when anybody was by?—Only my wife.

3228. I must ask you to tell me what was said when your wife was by?—My wife and me were in the room; Mr. Bantoft came in and said, "Well, William, you have told your wife what I have promised you," and I said, "Yes, sir;" he says, "Well, what does she say;" "Well," I said, "she said that her father had been a good friend to me, and would be again."

3229. Then he said, "We shall be as good friends to him as ever he has been or will be?"—Yes.

3230. Your wife was present then?—Yes.

3231. Nobody else?—No.

Re-examined by Mr. *Temple.*

3232. Your wife is ill at home, I believe?—Very ill.

3233. Is she too ill to come up here?—She has been in bed a fortnight.

Mr. *Temple* requested the Committee not to close this case until Monday, when it was hoped that the wife would be well enough to appear.

Mr. *Rodwell* objected.

Mr. *Temple* was heard in reply.

3234. By the *Committee.*] Could she not be here to-morrow?—I do not think she could; she has been in bed a fortnight with typhus fever.

3235. Has she been confined to her bed a fortnight?—Yes.

3236. Is she in bed still?—No, she got up on Sunday for the first time.

3237. Mr. *Temple.*] Do you remember when she was served with the Speaker's warrant?—Three months ago.

3238. Mr. *Rodwell.*] When were you notified to come up here?—On Tuesday night at 11 o'clock.

The *Chairman* stated the Committee were of opinion that they could not consent to the postponement applied for.

Mr. *Temple* stated that he would put in the following document, signed by Mr. Bantoft:—

The Election Committee of Lieut.-Colonel Crosland, M. P.

Dr. to Alfred Bantoft.

July 1865.

	£	s.	d.
To five days' professional services in the matter of Lieutenant-Colonel Crosland's election for the borough of Huddersfield .	15	15	0
To my clerk, J. S. Thornton, for the like .	7	17	6
Paid railway fares of self and clerk to and from Huddersfield to Selby, and other expenses during the election . . .	3	4	0
1865. July 31st. Received.	£26	16	6

1865. July 31st.
26 · 16 · 6
Alfred Bantoft.

WILLIAM BURTON, was called in; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*, as follows:—

W. Burton.

26 April 1866.

3239. I believe you were entitled to vote for Huddersfield at the last election?—Yes.

3240. Do you recollect the dissolution of the last Parliament?—Yes.

3241. Did anyone call upon you respecting your vote?—Yes.

3242. Who called upon you?—Well, there was a party came to my house, and Mr. Crosland met them there, and he solicited me at that time, sometime before the Parliament turned out.

3243. By the *Committee.*] What do you mean by a party?—Two or three men.

3244. Mr. Serjeant *Tindal Atkinson.*] Do you know them?—Yes.

3245. What are their names?—Leach, Hurst, and Mr. Hazel.

3246. What is Hurst?—He is an independent man, I think; he does not follow any business.

3247. Does he collect rates?—Yes, he is a rate collector.

3248. You say Colonel Crosland met them there?—Yes.

3249. Did he canvass you?—Yes, he asked me if I was going with him; I said I did not think I should go against him.

3250. Do you keep an inn?—Yes.

3251. Did the other side canvass you?—Yes.

3252. Did you promise anybody?—No.

3253. Before the election took place, had you had some conversation with a Mr. William Wilkinson, of the "Sphinx's Nest"?—Yes.

3254. Was he your landlord?—Yes.

3255. In consequence of the conversation you had with Wilkinson, did you wait upon Colonel Crosland?—Not till the day of the election; I never saw Colonel Crosland respecting the vote.

3256. In consequence of the conversation you had with Wilkinson, did you wait on Colonel Crosland afterwards?—Yes, I saw him once afterwards.

3257. Where was that?—It was in his own yard.

3258. What did you say to him?—It was about some business; my inn is at the top of the rifle ground, drilling ground, shooting ground, &c., and it was respecting the sheds that I wanted to take, and supply refreshment, but he did not give me an answer particularly: he did not say he could do it; in fact, he said he could not do it himself.

3259. By the *Committee.*] You asked him to enable you to get the business of supplying the refreshments to the riflemen, is that it?—Yes.

3260. And he said that he could not?—He said that he could not, as it had to go by the votes of the riflemen.

3261. Mr. Serjeant *Tindal Atkinson.*] Did he say anything about getting them for you?—Not particularly.

3262. On the day of the election, after this conversation did you go to the poll?—Yes.

3263. I believe you voted for the Colonel?—Yes.

3264. Before you went into the polling-booth, did you see some person whom you did not know?—Yes, there was a person who wanted to treat me with a glass of brandy before I went in; I told him I would not have anything until I had been in; he waited for me till I came out, and he took me to the "George Hotel," and he paid for a glass of brandy, after I had voted.

3265. What caused you to vote at the last election for Colonel Crosland?—I cannot answer that hardly; parties kept coming to see which way I was going; I thought I would take my own advice, and go the way I thought proper.

3266. Can you read?—Yes.

3267. Is that your signature (*handing a paper to the Witness*)?—Yes.

3268. Was that paper read over to you?—Yes.

3269. Just take it in your hand?

Mr. *Rodwell* objected that he was entitled to see the paper.

Mr. *Temple* submitted that he was entitled to treat the Witness as a hostile Witness, on the ground that he had given a different statement from that which was expected by the parties calling him.

Mr. *Rodwell* was heard in reply.

The *Chairman* stated the Committee were of opinion that the examination should be continued, and that the point could be again raised if the Witness should be shown to be a hostile Witness.

3270. Mr. Serjeant *Tindal Atkinson.*] Have you not made a different statement at another time from what you have done to-day?—No.

3271. By the *Committee.*] You never made a different statement from what you have made to-day?—No.

3272. Mr. Serjeant *Tindal Atkinson.*] Was a statement of yours written down?—Yes.

3273. And signed by you?—Yes.

3274. I ask you again, after refreshing your memory with that, have you not made a different statement, which was taken down, from what you have made to-day?—No; according to the questions asked me, I have not.

3275. By the *Committee.*] Do you recollect what was written down?—Yes.

3276. The contents of the document?—Yes.

Mr. *Temple* submitted that it was competent to him to prove that the Witness had made a different statement at another time.

The *Chairman* stated that the Committee were not of opinion that the Witness was a hostile Witness.

3277. Mr. Serjeant *Tindal Atkinson.*] Who did you vote for at the election before this?—Mr. Leatham.

3278. The *Chairman* (*to the Witness*)]. You had better be very cautious what you say?—Yes.

3279. Because a suspicion has arisen that you are not telling the truth; and it is a very serious thing to come before a Committee of the House of Commons and not tell the whole truth?—Yes.

3280. Mr. Serjeant *Tindal Atkinson.*] Did you have any other conversation with the Colonel about the sheds?—Only once.

3281. Was that the one you have spoken of?—Yes; when I saw him in his own yard.

3282. Did he say you were to see him again?—No; he said he would do his best for me.

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3283. Do you know Mr. Jerry Kay?—Yes.

3284. Did you go to him?—Yes, some time after the election.

3285. Do you know Mr. Battye?—Yes.

3286. What is he?—He is a solicitor.

3287. Were you referred to him at all by anybody?—Referred to him by anybody?

3288. About the sheds?—I went myself.

3289. By the *Committee.*] Went yourself to whom?—Battye; he is the secretary.

3290. By Mr. *Rodwell.*] He is the secretary to the rifle corps?—Yes, he is the secretary to the rifle corps.

3291. Mr. Serjeant *Tindal Atkinson.*] Did anyone refer you to Mr. Battye or to the people there?—I went to Mr. Kay for a note for him to recommend me for the sheds, and I took it to Mr. Battye.

3292. Who sent you to Mr. Kay?—Nobody; I went myself, as I had done business with him, and my father, ever since he was a master; he is a timber merchant.

3293. Was Kay ever mentioned in any conversation with Colonel Crosland?—Not to my knowledge.

3294. What made you go to Mr. Kay?—Because I knew he was a subscriber to the rifle corps, and I thought he was as likely a man as any to give me a little strength.

3295. Did you know he was chairman to Colonel Crosland?—Yes.

3296. Where did you go to Mr. Kay?—To his office.

3297. Was it after the conversation you had with Colonel Crosland that you went to Mr. Kay?—Yes; I should think five weeks, but I cannot exactly state the time.

3298. What took place between you and Mr. Kay upon that occasion?

Mr. *Rodwell* objected to the question.

Mr. *Temple* submitted that the Witness had shown a reluctance to state what had taken place with Colonel Crosland.

The *Chairman* stated the only material point that the Witness had proved was that he went to ask Colonel Crosland about the sheds, and that Colonel Crosland said he could not do it.

WILLIAM WILKINSON, was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:—

W. Wilkinson.

3299. Do you keep the "Sphinx Nest" Inn?—Yes.

3300. At Birkley, at Huddersfield?—Yes.

3301. Are you brother-in-law to the witness who has just left Burton?—Yes.

3302. About the time of the last election for Huddersfield was he a tenant of yours?— Yes.

3303. Do you remember some short time before the election seeing Colonel Crosland?—Yes.

3304. Where did you see him?—I have seen him at my house.

3305. By the *Committee.*] Are you a voter?—Yes.

3306. Mr. *Macnamara.*] When Colonel Crosland came to your house, what did he say to you?—He said nothing to me; he did not axe me for my vote.

3307. I did not ask you that?—I thought I might as well tell you.

3308. What did he say?—He axed me where certain parties lived.

3309. What parties did he ask you about; what were their names?—Well, I can hardly tell all the parties now.

3310. By the *Committee.*] Tell one of them?—Henley.

3311. Mr. *Macnamara.*] Did he mention your brother-in-law's name, Burton?—He might mention it.

3312. Did he, or did he not?—Well, I believe he did mention it; to the best of my knowledge, he did.

3313. What did he say to you about Burton?—Well, he said very little about Burton at all.

3314. We want to have that little; what was it?—He axed me which side he was for, and I told him I thought he was on his side.

3315. What more passed between you about it?—Not half a dozen words passed between Colonel Crosland and me.

3316. What more passed between you about Burton?—Well, I do not know that anything passed particularly about Burton; only what way Burton was going to vote; Mr. Crosland did not axe me to vote.

3317. Burton was your brother-in-law and your tenant, and you have told us there was some conversation about Burton; tell the Committee the whole of that conversation?—I cannot tell you exactly what passed; there might be a few words passed, but I cannot tell you to my knowledge what passed.

3318. By the *Committee.*] Tell the Committee the whole of the conversation?—I cannot go into that; I am sure I cannot tell you; it is impossible for me to do it.

3319. Mr. *Macnamara.*] When he spoke to you about Burton's voting, did you say anything to Colonel Crosland about the sheds in the rifle field?—Well, I did mention about the sheds, but I felt nothing more about it; I thought it would do the man good; he is a cripple, and I thought it might be a livelihood for him, but I thought nothing about the vote at the time.

3320. Did you tell Colonel Crosland that you thought it would be a livelihood for him?—Yes.

3321. Was that at the time he was asking you about his vote?—Colonel Crosland never bothered me about my vote at all.

3322. Was that at the time he was asking you about Burton's vote?—Oh, I had been at him 12 months before any voting came on at all.

3323. By the *Committee.*] Was that at the time he was asking you about his vote; answer that question, yes, or no?—At the time he was at my house, I did mention to him about the rifle field.

3324. Mr. *Macnamara.*] At the time he spoke to you about Burton's voting, was that the time you spoke to him about the rifle-sheds?—Yes.

3325. Why did you not say so before?—I have said so before, as well as I could.

3326. Did not you say to Colonel Crosland, "If you want Burton to vote for you, you must get him the sheds in the rifle-field"?—No.

3327. Nor words to that effect?—No.

3328. Will

3328. Will you swear you did not?—I will swear I never said such a thing.

3329. Nor anything of that kind?—Not that. I did not come so far out as that.

3330. You say you did not come so far out as that. Let us know how far you did come out with regard to the sheds; what was it you did actually say with regard to the sheds?—All I said about the sheds was, I asked him if he would be so good as to try and get him the sheds.

3331. What did he say to that?—He said he would do his best; that is all.

3332. Did he say anything about Burton's voting in case he did his best?—No.

3333. Just consider before you give your answer?—He ax'd me if Burton was safe, and I said, "Yes, to be sure he is safe."

3334. Did he say anything about Burton's voting in case he did his best to get him the sheds?—No.

3335. Not a word?—I had nothing more to do with him.

3336. Did he not say a word about it?—I had nothing more to do with him after that time.

3337. Did he say anything about Burton's voting if he did his best to get him the sheds?—The sheds were only mentioned once.

3338. Yes, or no, upon your oath?—On my oath they were only mentioned once.

3339. Did he say anything about Burton's voting in case he did his best to get him the sheds?—No; there was nothing more mentioned. How many times are you going to ask me?

3340. Is that your signature (*handing a paper to the Witness*)?—Yes; you will find a good deal crossed out; I crossed it out.

3341. Read that from the commencement to yourself?—It seems to me this contradicts it altogether. They have crossed a good deal out.

3342. Will you read that from the beginning to yourself?—I have read it.

3343. Now give it me?—Yes (*handing the paper to the learned Counsel*).

3344. You have read that first part, have you, about the interview between you and Colonel Crosland?—Yes.

3345. I am going to ask you this: did not you say to Colonel Crosland, "If you want Burton to vote for you, you must get him the sheds in the rifle-fields"?—I ax'd Colonel Crosland to get him the sheds.

3346. Did you not say, "If you want Burton to vote for you, you must get him the sheds in the Rifle-fields"?—I ax'd him to get them, but I said nothing about the vote.

3347. You deny that, do you?—I do not deny axing Colonel Crosland; I stick to that.

3348. That is not the question; did you not say to him, "If you want Burton to vote for you, you must get him the rifle sheds"?—I did not.

3349. Did you say, "You must do your best to get him the rifle-sheds if you want him to vote for you"?—No.

3350. Did not Colonel Crosland say to you that he would do his best if Burton would vote for him?—I told you so before; he said he would do his best to get the rifle-sheds.

3351. If Burton voted for him?—He did not mention "voting for him."

3352. On your oath do you deny that?—I said he would vote for him.

3353. That is not the question, did he say he would do his best to get him the rifle-sheds if Burton voted for him. Answer yes or no to that?—He never promised to get him the sheds.

3354. Did he say he would do his best to get him the rifle-sheds if Burton voted for him?—Yes; he said he would do his best.

3355. Why did you not say so before?—That is not to get them; he is only one out of a dozen.

3356. Did he not say that he would do his best to get him the sheds if Burton voted for him?—I will not answer that.

3357. By the *Committee.*] You must answer it?—He never mentioned such a word to me as that.

3358. Did he say those words?—He would do his best to get him the sheds, but nothing about voting.

3359. Did he say if he voted for him?—He says, "Look after Burton;" that is all.

3360. Did he use the words "If he voted for him"?—No, he did not.

3361. Mr. *Macnamara.*] Nor anything to that effect?—He never ax'd nothing at all about voting, further than I ax'd him for the sheds; I told him Burton was all safe.

3362. Did you promise him that Burton should vote for him?—Me promise him?

3363. Yes?—I said he was all safe.

3364. Did you see Burton afterwards, and tell him what had taken place between you and Colonel Crosland?—I see Burton every day nearly.

3365. Did you tell him what had taken place between you and Colonel Crosland?—I do not think I did, not to my knowledge.

3366. Did you not tell him what had taken place between Colonel Crosland and yourself, and did he not then promise to vote for Colonel Crosland?—I knew very well he was going to vote for Colonel Crosland.

3367. That is no answer to my question?—I never had conversation with Burton, only once.

3368. Did you tell him what had taken place between you and Colonel Crosland, and then did Burton promise that he would vote for him?—No, he did not.

3369. Nothing of that kind took place between you?—He did not promise me that he would vote for him.

Mr. *Temple* proposed to tender in evidence a written statement made by the witness different from the evidence which he had now given, for the purpose of enabling him to cross-examine.

Mr. *Rodwell* stated that he had no objection to the statement being put in for that purpose.

Mr. *Temple* read the following statement: "I saw Colonel Crosland at my house, and he wished me to procure Burton's vote in his favour; I said to Crosland, 'Well, if you want Burton to vote for you, will you do your best to get him the sheds in the rifle-fields;' he replied, he would do so, if Burton voted for him, and I then promised to ask Burton to vote for Colonel Crosland; after this, I saw Burton, and told him what had taken place at the interview between Colonel Crosland and myself, and Burton then promised to vote for Colonel Crosland."

W. Wilkinson.

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3370. By Mr. *Temple.*] You have heard that statement read; you signed that, did you not?—That is crossed out.

3371. There is nothing crossed out there?—Read those bits that are crossed out.

3372. Did you make that statement?—It is not far wrong; what is that at the bottom put in for which is crossed out?

The *Chairman* stated that the Committee did not attach much importance to statements made upon a preliminary examination.

Cross-examined by Mr. *Rodwell.*

3373. When Colonel Crosland came and this conversation took place about the rifle-ground, were any other persons standing by?—Yes.

3374. Who were they?—There was Thomas Clay.

3375. Anybody else?—I think not.

3376. Could Thomas Clay have heard what took place between you and Colonel Crosland?—Yes.

ELI SOWERBRITTS, was called in; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*, as follows:

Eli Sowerbritts.

3377. YOU are a Printer, and you reside at Huddersfield?—Yes.

3378. Do you recollect before the last election being waited upon by Mr. Nehemiah Learoyd?—I do.

3379. Mr. Learoyd had been the solicitor doing something for you professionally, had he not?—He was my solicitor.

3380. Was that about April 1864?—I cannot recollect the date.

3381. By the *Committee.*] Are you a voter for Huddersfield?—I am.

3382. Mr. Serjeant *Tindal Atkinson.*] You were then carrying on business, I believe, in the Buxton-road?—I was; 22, Buxton-road.

3383. By the *Committee.*] Was it April 1864?—I do not remember the date; it was some months before the election.

3384. Mr. Serjeant *Tindal Atkinson.*] Was anything said about your voting, or being on any particular side?—Yes; Mr. Learoyd came for the purpose of seeing which side I should vote for.

3385. By Mr. *Temple.*] Was it the same year as the election took place, or the previous year?—It was some months before, but I cannot recollect the date; it was in connection with the last election.

3386. By the *Committee.*] You must know whether it took place in 1864 or 1865?—No; I do not charge my memory; Mr. Learoyd came to see me, as he said as a friend, to see which side I should be on, and he said he could give me a considerable quantity of the printing if I was on their side.

3387. Mr. Serjeant *Tindal Atkinson.*] He could give you some work?—He said he could give me a considerable portion of the work, if I was on their side.

3388. Were you carrying on a printing business?—I was.

3389. What did you say to him?—We had a long conversation, and we canvassed Mr. Crosland in comparison with Mr. Leatham; and the conversation closed by my saying to Mr. Learoyd that I should vote according to my conscience, if I shut up my shop the next day; and he said he would see me again, and with that he left me.

3390. On leaving you did he say anything about the reason of his calling again?—He hoped that I should go with them.

3391. A few days before the day of nomination, do you remember talking to Mr. Bygott, the druggist?—Yes.

3392. Is his shop nearly opposite Mr. Learoyd's office?—It is exactly opposite.

3393. While you were in Bygott's shop, did you see Mr. T. P. Crosland and Mr. Nehemiah Learoyd together?—They came into the shop together.

3394. By the *Committee.*] Do you mean the Colonel, the sitting Member?—I mean the sitting Member.

3395. Mr. Serjeant *Tindal Atkinson.*] What was said or done by the two gentlemen?—They first canvassed Mr. Bygott for his vote, and he told them he should not vote for them, and he should vote against them; and then Mr. Learoyd canvassed me for mine, and I said the same or something tantamount to that. Mr. Crosland went out; Mr. Learoyd hung back and said, "Well, gentlemen, I will see you again; perhaps other considerations will move you."

3396. I believe you became an active supporter of Mr. Leatham, did you not?—Yes; it was before that; I should have been very sorry to have been on the other side.

3397. Was it known to Mr. Learoyd that you were actively supporting Mr. Leatham?—I do not know what Mr. Learoyd knew, but it was generally pretty public; I spoke outside for Mr. Leatham several times, and I daresay he knew all about it.

3398. Did he ever come near you after you were so actively engaged?—Only in Bygott's shop.

Cross-examined by Mr. *Rodwell.*

3399. Was this conversation you had in the first instance some months before the election with regard to printing some registration papers?—There was nothing particular mentioned; it was work generally that was mentioned; Mr. Learoyd did not define what the work was.

3400. Was there not something said at that time, and was it not understood that the subject matter of the conversation was the registration papers?—I understood that it was the work of the election generally.

3401. Were you concerned in printing the Registration Lists of 1855?—No.

3402. Did you apply to be so employed?—No.

3403. Who did it?—I do not know; I did not do it.

3404. You wished to do it, I believe?—I would work for anybody; I neither asked one committee nor the other; I would have printed for either of them, if they sent it.

3405. You were anxious to have the printing of the registration papers?—I was anxious to have any printing I could get.

3406. Did you not intimate to Mr. Learoyd on

on more than one occasion, that you would be very glad if he could give you the printing of the registration papers?—No.

3407. That you state distinctly?—I do.

3408. You never stated that to him or his clerk?—Not to anyone.

3409. I ask you distinctly: did you not tell Mr. Learoyd you would be very glad if he would use his influence to get you the job of printing the registration papers?—I dare say I might have asked Mr. Learoyd for work several times.

3410. I will have an answer to that question?—I did not.

3411. Distinctly and directly?—Distinctly and directly, I did not.

3412. Listen to my question: you did not directly nor indirectly apply to Mr. Learoyd for employment on the registration work?—There never was anything said about the registration work.

3413. I said directly or indirectly?—Not that I am aware of.

3414. What do you mean, "Not that I am aware of"?—I cannot remember that the registration lists were ever mentioned between us.

3415. Will you say that you did not?—Yes, so far as my recollection serves me.

3416. Will you state distinctly, in Mr. Learoyd's presence, that you did not mention to him, or give him to understand that you wanted to have the registration printing?—No, I did not.

3417. You state that on your oath?—Yes.

3418. You did not do it?—I do not think I did it.

3419. When was this; was it not in May, 1864?—I have already said that I do not remember the date; it was some months before the election.

3420. Was it not a year before?—It was some months before; I cannot give a more exact date; it is no use trying to make me say what I do not remember.

3421. Were you a voter at that time?—I do not remember.

3422. Do not you remember whether you were a voter or not; do you really mean that your memory is so defective that you are not able to tell either the year in which this conversation took place, or whether you were a voter?—If I had thought it would have been wanted, I would have made a note, but I did not.

3423. Cannot you tell whether at the time of this alleged conversation you were a voter?—I do not remember.

3424. Is Mr. Bygott here?—Yes.

3425. Have you since the election applied to Mr. Learoyd for business?—I think I have sold him one parcel of paper, and have had one or two little orders from him.

3426. Then you have been employed by him?—I have been employed by him.

3427. Why did you hesitate when I asked the question?—I did not hesitate; I wish to give the answer as near as I can tell to the truth, and that is what you want to have, I suppose.

3428. I believe, that if there was one person more active than another for Mr. Leatham it was yourself; you spoke at many meetings?—I was very active for him.

3429. It was notorious at Huddersfield that you were a very active supporter of him?—Yes, I should think so.

3430. When Mr. Learoyd said, "Other considerations may move you," did you suppose that Mr. Learoyd was going to bribe you?—I did not know what considerations he meant.

3431. Were you not open to a bribe?—No.

3432. Those are the precise words he used, are they?—As near as I can recollect, they are.

3433. Could you give them a little more accurately; "other consideration," was that addressed to you or Mr. Bygott?—It was addressed to both.

3434. Was Colonel Crosland present?—Colonel Crosland, as I have already said, had gone out.

3435. How long did this interview take?—We should not be very long.

3436. Ten minutes?—More than that, I should think.

3437. What were you talking about besides this voting?—There was a general canvass of us, and Mr. Crosland asked us if we could not vote for him.

3438. It was all about the election, was it?—It was all about the election.

3439. Mr. Bygott said he would not vote for him, but he should not vote against him?—Mr. Bygott said he should not vote for him, and he should go against him.

3440. And you said the same?—I said the same.

3441. Did you receive a letter from Mr. Learoyd?—I did.

3442. Is that letter in existence?—It is in existence.

3443. Where is it?—Mr. Clough has it.

Mr. *Rodwell* called for the letter, and the letter was produced.

3444. Mr. *Rodwell.*] When did you give that letter to Mr. Clough?—On the day of the election.

3445. What did you give it him for?—I thought it might be useful to my party.

3446. With regard to the petition?—Yes, if there was one; I did not know whether there would be or not.

3447. You take an active part in the petition, do you?—No.

3448. Why did you give him that letter?—I thought it might be useful for him.

3449. Was there a petition then?—There was not a petition then.

3450. What was it to be useful for?—If there was a petition.

3451. If there was a petition, you thought it would be useful?—Yes.

3452. Have you been helping to get up this petition?—No.

3453. Have you not spoken to anybody about it?—Of course we have had conversation about it all over the town.

3454. And meetings about it?—No; I have not been at any of the private meetings.

3455. The public ones?—We have had no public meetings.

3456. You have not been in communication with Mr. Clough about this statement?—With reference to my own case?

3457. And other cases too?—If I could have got to have known anything about others, I should have been very glad to have given evidence.

3458. Have you not had to do with other cases?—I do not know that I have.

3459. Do you mean to say that you have not given them information about other cases?—I have given them all the information I could pick up;

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up; but it was only the general talk of the town.

3460. Have you given them information about other cases; will you answer that question?—I am trying to recollect whether I did or not; I really cannot recollect whether there is any special case that I have gone into, but I do not think I have.

3461. This is a letter, dated 26th May 1865?—Yes.

3462. The day after the election; this was the letter you handed over to Mr. Clough?—Yes.

The Letter was read, as follows:—

"Huddersfield, 26th May 1865.

"Dear Sir,—I have been subjected, during the last few days, to very great annoyance, arising from a report, which is stated to have emanated from you, that I have accompanied my political canvass with personal threats and intimidation relating to business matters, and more especially that I informed *you* that you would have my support upon condition only of your voting for my friend, Colonel Crosland. You must allow me to say that such a proceeding would be as abhorrent to my own feelings as I know they would be to the high-minded man in whom I am interesting myself, and that, hitherto, at any rate, I have not said or done one word or act which I cannot reflect with satisfaction; and if I am found to violate the rule of right towards myself and towards others, I am willing to hear of it.

"I know quite well the circumstance which has afforded the pretext for this statement. At that time you had no vote. I was wishful (from considerations of personal interest in you) to get you business; but, at the same time, I felt that it would not be fair towards the printers who are politically with us that I should send business to you connected with the election until I could have some pretext, at any rate, for classing you with our supporters. Hence, I spoke to you in private confidence, and in the assurance that my confidence would not be violated; and I explained to you precisely what my motive was.

"To have repeated this conversation, and especially so in association with the present election, is, in my judgment, a breach of good faith, and a violation of the conduct of a gentleman. I feel exceedingly sorry to write you thus, but I should be unworthy of my position if I could bear my honour thus impugned without indignantly resenting it.

"Believe me, Dear Sir,
"Yours truly,
"*W. Learoyd.*"

"It may, perhaps, be necessary to add that I write this as a private and confidential letter."

3463. Mr. *Rodwell.*] Is there any answer?—I wrote Mr. Learoyd an answer.

The following Letter was put in and read:—

"22, Buxton-road, Huddersfield,
"May 26th, 1865.

"Dear Sir,—In reply to your note just received, I have to say that any report of your having used any threat to me in reference to this election has not emanated from me. I have mentioned to my private friends that you, as a friend, came to see if I was on your side in this conflict, as if so you could place a good deal of the work (election work, as I understood) in my hands. Of anything further I know nothing, and am as much annoyed as you can be that my name should have been so unwarrantably made use of. For myself I can only say I have made no secret of my intentions to vote for Mr. Leatham (as soon as I had decided), and have neither asked your committee or Mr. Leatham's committee for work, and I should very much despise myself if any monetary question would have moved me from what I conceive to be right. Trusting this reply will be satisfactory to you,

"I beg to remain,
"Yours obediently,
"E. S."

"W. Learoyd, Esq."

"*P.S.*—I had written the enclosed note yesterday after Mr. Crispin had seen me, but it appears not to have been sent you."

3464. Mr. *Rodwell.*] This letter was dated the 26th May?—Yes; I believe that is an accurate copy.

3465. You say the day before the election you handed that over to Mr. Clough, the solicitor for the petition?—Yes.

3466. Did you, only a few days ago, apply to Mr. Learoyd to give you a certificate to enable you to get something somewhere you were in quest of, some appointment?—Yes.

3467. And he gave it to you?—Yes, and I have got it here.

3468. You say you cannot tell me whether you have assisted in any cases; have you subscribed to this petition, or have you been collecting subscriptions for this petition?—I have not subscribed anything yet; I shall do so; I have not collected anything.

3469. Have you asked for any names to be put down?—I have told all my private friends I should be very glad if they would subscribe to it.

3470. Then you have asked for subscriptions; why do you hesitate to answer that simple question; have you asked for subscriptions to this petition?—Yes, I have, in that sense.

Re-examined by Mr. *Temple.*

3471. You have promised to subscribe, and you have asked your friends?—I have promised, and I have asked my friends, but I have not received any money myself.

3472. At the time that letter of the 25th May was written, you appear not to have been a voter; when did your title to vote accrue?—The first registration after that, I expect; I gave my name to the registration agent, and told him to enter it as soon as he could.

3473. At

3473. At the time of the election you were a voter and voted?—Yes.

3474. At the time this conversation between you and Mr. Nehemiah Learoyd took place about you giving you printing, was it known or not that Colonel Crosland was coming out as a candidate?—It was, and they had got up a memorial to him.

Examined by the *Committee*.

3475. This conversation took place when you were not a voter?—Yes.

3476. Then it was in 1864?—In 1864; but it was in expectation that Colonel Crosland would come out and it was to solicit me when I had a vote; Mr. Learoyd knew that I should try to get a vote.

Eli Sowerbritts.

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WILLIAM TURNER BYGOTT, was called in; and sworn.

THE *Committee* asked what this witness was to prove.

Mr. *Temple* replied, the object in calling Mr. Bygott was to confirm the previous witness, but that he did not think it necessary to examine him.

W. T. Bygott.

DAVID SHAW, was called in; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*.

3477. I BELIEVE you are a working mechanic?—Yes.

3478. Were you a voter at the last election for Huddersfield?—Yes.

3479. You work for Mr. John Haig of Perth-street?—Yes.

3480. Three or four months prior to the election, were you working at his factory?—Yes.

3481. Do you know Mr. Dyson Taylor?—Yes.

3482. Did he canvass you about your vote?—Yes.

3483. For whom?—For Mr. T. P. Crosland.

3484. What did you say to him?—I told him I should not promise my vote until the day, and then I should go and vote for my principle.

3485. What did he say to that?—He said that was no answer for him, and if I would give my vote to Mr. T. P. Crosland, he would give me something very handsome after the election, but not before, and then they could not bring it in as bribery.

3486. Did he say anything to you about knowing him for a long time?—Yes.

3487. What did he say?—He says, "Thou hast known us a long time, and thou might trust us till after the election."

3488. Who is Mr. Dyson Taylor and Mr. William Taylor?—They are sons of John Taylor, John Taylor and Sons, manufacturers.

3489. Are they related or connected with Mr. Crosland in any way?—Yes; they married sisters of Colonel Crosland.

3490. Was anything said about where the money was to come from?—He said that if he could not get it from head quarters, he would give it me out of his own pocket.

3491. Was this promise made to you more than once?—Yes, it was said to me two or three different times.

3492. By the *Committee*.] By the same person?—By the same person.

3493. Mr. Serjeant *Tindal Atkinson*.] Had you any conversation with William Taylor, the brother, about your vote?—He ax'd me if I would vote for Colonel Crosland, but I did not promise him.

3494. I believe you have a brother, Charles Shaw?—Yes.

3495. Was he a voter?—Yes.

3496. Was he in Liverpool at the time of the election?—Yes.

3497. Do you recollect Dyson Taylor saying anything to you about him?—Yes.

3498. What was that?—He ax'd me if I would go and get him to come and vote for Colonel Crosland, and if he would not come and vote for Colonel Crosland he must not come at all, and I must stop him if I could.

3499. Was anything said about money for your fare to Liverpool?—He said he would pay me two days' wages, and find my fare and all, if I could get my brother to vote for Colonel Crosland.

3500. Did you go to Liverpool?—Yes.

3501. Did you ever get your money for going? No, because I did not vote for him, or else I should.

3502. Did you see Dyson Taylor after the election?—Yes.

3503. What did he say to you?—He said, "Thou voted for Mr. Leatham, did thou not"? I said, "Yes, sir."

3504. What said he?—He turned him round and walked away from me, and said something very sharp, but I could not ascertain what the words were that he said to me properly.

3505. Have you ever seen your master, Mr. John Haig, conversing with Dyson Taylor?—Yes, I have seen them talking together, but I could not say whether they were talking about business or electioneering.

David Shaw.

Cross-examined by Mr. *Rodwell*.

3506. Your brother was not at Liverpool, was he?—Yes.

3507. Did you find him at Liverpool?—Yes.

3508. And you did not persuade him to come with you?—He said he would not come at all.

3509. Then you lost your expenses for going?—He did not give me my expenses for going, neither did I go to him to ask for them.

3510. Your brother formerly lived at Huddersfield, did he not?—Yes.

3511. Why did he leave Huddersfield?—He left Huddersfield to go to Shrewsbury.

3512. Had he been imprisoned in gaol for six months?—Yes, I believe he had.

3513. Was Colonel Crosland the magistrate who sentenced him to six months' imprisonment?—Not that I know of. I cannot speak to that; I was not there.

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3514. You do not happen to know that?—No.

3515. It was by the Huddersfield Bench of Magistrates he was imprisoned for six months; what for?—For striking a woman.

3516. Was that woman his wife?—No.

3517. An assault, was it?—Yes.

3518. Is that the same one who was convicted of another offence at Huddersfield?—The same one, sir.

3519. Is his name Charles?—Yes.

3520. Was he convicted of another offence?—Not as I know of.

3521. Not of keeping a —— ?—He was bound over to keep a respectable house.

3522. He was not able to get people to be bound for him to keep a respectable house, was he?—They were bound for him.

3523. Was he out of the way when you went to Liverpool, or was he there?—He was there, at home.

3524. Were you bound for him?—Yes.

3525. Have you ever been in trouble yourself?—I have had a bit of trouble in my time.

3526. How long ago was it, the last time you were in trouble?—I have been a teetotaller now 16 or 17 years.

3527. And you have not been in trouble since you have been a teetotaler?—No.

3528. You have been convicted, I believe?—No.

3529. Are you sure of that?—Yes.

3530. Only tried?—Only tried.

3531. And acquitted?—Yes.

3532. Never in gaol except on that occasion?—No.

3533. You are a teetotaller, you say?—Yes.

3534. Who was present when Mr. Taylor said this to you?—No one, only our two selves.

3535. Where was it?—In the manufactory.

3536. What time of the day?—I cannot just speak to the time of the day.

3537. Was it before or after your dinner?—I cannot speak to it just now, for they came frequently to me, backwards and forwards.

3538. Did he frequently talk on that subject?—Not on that subject, but he talked to me about the work.

3539. He did not talk to you frequently, about giving your vote?—Not every time he saw me.

3540. Did not that conversation strike you as an extraordinary one?—I do not know that it did.

3541. It did not strike you at all?—No.

3542. What was it he said to you?—He ax'd me if I would give my vote to Colonel Crosland. I did not tell him I had made up my mind who I should vote for; he axed me again, if I would give it to Colonel Crosland, and he would give me something handsome if I would.

3543. Did he mention the sum?—No.

3544. Nothing at all?—No.

3545. Did you not mention any sum?—No.

3546. Nobody was present?—No.

3547. On the second occasion after the election was any body by when you spoke to him?—No; he met me in the mill-yard.

3548. When did you give information of this attempt to bribe you by Mr. Taylor to the other side, to Mr. Clough?—The Sunday after the election.

3549. Have you ever spoken to Mr. Taylor about it?—No.

3550. Have you ever seen him since?—Many a time.

3551. You have never spoken to him about it?—No.

3552. And you gave your statement to Mr. Clough, I suppose?—Yes.

3553. Who took you to Mr. Clough; how came you to go there?—I will tell you the name as soon as I can.

3554. How came you to go there?—I was ax'd to go there.

3555. Who asked you?—John Woodhouse, I believe.

3556. Did you go there to tell what Mr. Taylor said?—Yes.

3557. How much have you received; have you received anything?—No.

3558. Not a halfpenny?—No.

3559. Nor promised anything?—Oh no, not a farthing.

3560. When Mr. Taylor made these promises to you, did you expect he would give you money if you voted for Colonel Crosland?—He would have given me money if I had voted for Colonel Crosland.

3561. If he had given you money you would have voted for Colonel Crosland?—No; I should have voted for Mr. Leatham, because he was my man, and I could have had money if I voted for Colonel Crosland, but I did not intend.

3562. You never mentioned this till the Sunday afterwards?—Till the Sunday afterwards.

3563. And no one was present at any of these interviews?—No.

Re-examined by Mr. *Temple.*

3564. Do they bind over all the inhabitants of Huddersfield to keep respectable houses?—Oh no.

[Adjourned till Eleven o'clock To-morrow.

Friday, 27th April 1866.

RIGHT HONOURABLE LORD NAAS, in the CHAIR.

The Names of the Members were called over:—All present.

JOHN DYSON, was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

J. Dyson.
27 April 1866.

3565. ARE you a Farmer, living at Huddersfield?—Yes.

3566. I believe you are a voter for Huddersfield?—Yes.

3567. I believe you had been canvassed before the last election; had you promised to vote for anybody, and if so, for whom?—Yes, I promised to vote for Mr. Leatham.

3568. Do you remember, about 10 days before the election, attending a meeting of Colonel Crosland's, at the "Woodman Inn"?—Yes, when he was making his address.

3569. Was it an open-air meeting?—He was speaking through the window.

3570. Did you return home from that meeting with Edwin Taylor?—Yes.

3571. Is he a voter for Huddersfield?—No.

3572. As you were returning with Taylor what took place between you and him; what did you say to Taylor, or what said Taylor to you?—He asked me how I liked Mr. Crosland's speech. I said, "I like him very well as far as he has gone."

3573. What did he say to you upon that?—He wanted me to vote for him.

3574. What did he say about it?—Well, I cannot tell just now.

3575. Give the words, according to the best of your recollection?—Well, he asked me to vote for him; I told him I had pledged myself for Mr. Leatham. Then he asked me if I would vote for him, if he could get me a sovereign. He asked me if I would vote for a sovereign for Colonel Crosland.

3576. What did you say to that?—I told him he could try if he liked.

3577. Do you remember seeing him again on the Monday before the election?—Yes.

3578. Did he come to your house?—Yes.

3579. What did he say to you?—Well, he said he wanted me privately; he wanted me in a private room.

3580. Did you go into a private room with him?—Yes, I went into a parlour with him.

3581. When you got there what did he say to you?—He asked me if I had made up my mind who I was going to vote for, and I said I had. He says, "Now, come, I will give you a sovereign if you will vote."

3582. Which way?—For Mr. Crosland.

3583. When he said that, what did you say?—I told him I should not.

3584. What did he say then?—Then he offered me two sovereigns.

3585. Did you refuse them?—Yes.

3586. And I believe you afterwards voted for Mr. Leatham?—Yes, I voted for Mr. Leatham.

Cross-examined by Mr. *Rodwell.*

3587. Pray who is Taylor; is he a relative of yours?—Well, he is some distant relation.

3588. A cousin of yours, is he not?—No, he is not exactly a cousin.

3589. You call him a relation?—Yes.

3590. And a friend of yours?—Yes.

3591. He is a man you are often seeing?—Yes; we were brought up together.

3592. What is his business?—He professes music.

3593. Do you mean that he belongs to a band?—No, he is a fiddler.

3594. Is he a weaver, or a fiddler?—He has pupils under him to learn, as a fiddler.

3595. Where does he live?—At Shea Bridge.

3596. Was anybody present when you had the conversation about the pound?—Not when he offered it me.

Re-examined by Mr. Serjeant *Tindal Atkinson.*

3597. You say Taylor is a friend of yours; did he take much part in the election?—I cannot speak to that.

EDWIN TAYLOR, was called in; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*, as follows:

E. Taylor.

3598. I BELIEVE you are what is called a violinist?—Yes.

3599. You live at Sheepridge?—Yes.

3600. Is Sheepridge in Huddersfield?—It is in the borough.

3601. Were you a voter at the last election?—No.

3602. Did you attend any committee meeting of Colonel Crosland's friends?—Yes.

3603. Where?—At Sheepridge, at Frank Hepworth's.

3604. At the "Fleece"?—Yes.

3605. About a week before the election did you attend one of Colonel Crosland's meetings at the "Woodman Inn," Bradley?—Yes.

3606. Who were the principal men there for Colonel Crosland; did you see anybody?—Yes; I saw Mr. Learoyd, for one.

3607. Captain Learoyd, or the solicitor?—The solicitor.

3608. What was he doing there?—He spoke very well.

E. Taylor.

27 April 1866.

3609. Did he address the meeting well?—Yes.

3610. While you were at the "Fleece" did you see Dyson?—Yes.

3611. After you had heard the speech, did you leave the place with him?—Yes.

3612. Did you say anything to Dyson when you left?—Yes; we came home together.

3613. What did you say to him?—Why, we got into conversation about the address that Colonel Crosland had given, and he appeared to like it very much.

3614. Was anything said about his voting?—He told me that he would not care if he could get a quid who he voted for. He was partly convinced.

3615. A "quid" means a sovereign, does it not?—Yes.

3616. What did you say to that?—Well, I told him that if he would vote for Mr. Crosland for a quid, I thought I could get him one.

3617. What made you say that?—I do not know, I am sure.

3618. What made you say that?—I had no authority for saying so.

3619. What made you say to him that you thought you could get him one?—Because he said he would take it, and I told him I thought I could get it, if so small a bribe would do for him.

3620. Then was it a mere speculation of yours?—It was spoken more in jest than in reality.

3621. On the nomination day, did you see John Tillotson?—At Dawson's, at the "Fleece," I did see him, but I think it was before the nomination day.

2622. Did you have any conversation with him?—Yes.

3623. Did Tillotson give you anything?—Yes.

3624. What?—He gave me 2 *l.*

3625. What did you do with them?—I intended keeping them for myself.

3626. I asked you what you did with them?—I spent them.

3627. Did you offer any to Dyson?—Yes, I offered it.

3628. Offered what?—A sovereign; but I should not have given it him, if he would take it.

3629. Did you get the two sovereigns in jest?—No.

3630. Did you say anything to Dyson when you offered it to him?—I suppose I should say something, but I do not recollect what.

3631. Try?—Well, I asked him to vote for Colonel Crosland.

3632. If it was in jest in the first instance, what made you ask him to vote for Colonel Crosland when you offered him the sovereign?—I asked him, because I thought he was wavering.

3633. Was the previous impression on your mind that he was going to vote for Colonel Crosland?—Yes; after that Saturday night.

3634. Do you know Thomas Hirst?—Yes.

3635. Were you employed by him to act as watchman?—Yes.

3636. When?—Three nights previous to the election.

3637. Were you what is called a captain?—Yes, one night.

3638. Did you receive anything for acting as watchman?—Yes.

3639. What?—Thirty shillings altogether.

3640. Did you see any of the men paid at the committee-room?—I saw some of the men paid at the "George Hotel."

3641. Do you recollect who paid?—No.

3642. What?—I did not know the parties; I knew one, and that was John Walker; he was there, but he did not pay us.

3643. After you were paid, did you go again to the "George" to get more?—I got 10 *s.* the first time, and 10 *s.* the second time; and Mr. Hirst gave me 10 *s.* the third time; that is three 10 *s.* I got for three nights' watching.

Cross-examined by Mr. *Rodwell.*

3644. You say you are not a voter?—No.

3645. And you had no authority to make that remark to Dyson; and it was more in jest than in earnest?—Yes.

Examined by the *Committee.*

3646. Were you paid every day?—We were paid altogether, if I recollect right, after the election took place.

3647. You were a captain?—Yes.

3648. How many men had you under you?—About seven.

3649. Did those seven men accompany you each night?—I only went out with them one night.

3650. And you were paid for three nights?—Yes; but I was up all three nights; I was in the committee-room with Frank Hepworth.

3651. You were in a public-house the other two nights?—Yes.

3652. Where?—Frank Hepworth's.

3653. Was that a committee-room?—It was the working men's committee-room, formed among themselves.

3654. Were there many watchers there?—Yes, sometimes there were a good many.

3655. How many?—I am sure I do not know; from 20 to 30, perhaps.

3656. Watchers?—Yes.

3657. Were they paid the same as you?—I cannot say to that; some of them got paid; and I believe some of them did not.

ALFRED WOODHEAD, was called in; and, having been sworn, was Examined by Mr. *Macnamara,* as follows.

A. Woodhead.

3658. WHAT are you?—Commission agent.

3659. You live at South Parade, Huddersfield?—Yes.

3660. I believe you are not a voter?—No.

3661. On which side did you act at the last election at Huddersfield?—Colonel Crosland's.

3662. Do you remember, a fortnight before the election, there being a meeting of Colonel Crosland's friends in the long-room at the "George"?—Yes.

3663. And you were there yourself, I believe?—Yes.

3664. Was Colonel Crosland there himself?—Yes.

3665. Was Mr. Jere Kay there?—Not that night.

3666. Was

3666. Was Captain Tom Learoyd there?—Yes.

3667. Was William Henry Aston there?—Yes.

3668. Was Joe Cliff, the younger, there?—Yes.

3669. John Parish?—Yes.

3670. Joe Wrigley?—Yes.

3671. Was John Tolson there?—I am not positive.

3672. Was Charles William Mitchell there?—Yes.

3673. Was Joshua Hobson there?—I cannot be positive.

3674. What were you doing at the meeting; what was your duty?—Protecting the door.

3675. Who instructed you to protect the door?—Jonas Walker.

3676. Was he present at the meeting?—Yes.

3677. What did you do there; you remained at the door; did you do anything else?—I walked about from one room to another.

3678. From which room to which room did you walk about?—From the committee room to the long room.

3679. What did you go from one room to the other for?—To keep out persons that were not allowed in.

3680. Had you instructions as to the persons you were to admit?—Yes, at certain times, I had.

3681. From whom had you any instructions?—Jonas Walker.

3682. Who is Jonas Walker; do you know what he is?—I cannot tell particularly what business he is, I am sure.

3683. At the close of that meeting, did Mr. Aston and Mr. Parish speak to you?—Yes.

3684. Did they ask you to go anywhere with them?—Yes.

3685. Where?—Down to the "Shakespeare Inn."

3686. To any meeting there, did they ask you to go?—They said there was going to be a meeting there, and they wished me to go down with them.

3687. A meeting of what?—Belonging to Colonel Crosland.

3688. Did they describe the meeting at all; who it was to be composed of?—No.

3689. Did you go there with them?—I went down with Mr. Cliff.

3690. You went down with Mr. Joe Cliff?—Yes.

3691. When you got there, what took place?—There was supper provided.

3692. And about how many persons were there to partake of that supper?—Perhaps about 40, or 50, or something of that sort.

3693. Was Mr. Tolson, whom you spoke of, at that supper?—I do not remember him.

3694. Captain Tom Learoyd?—Yes, he was.

3695. Mr. Aston?—Yes, him and I dined together.

3696. Joe Cliff?—Joe Cliff was there.

3697. And Joshua Hobson?—Yes.

3698. By the *Committee.*] What time of night was this?—It would be about eight o'clock.

3699. Mr. *Macnamara.*] At this supper was there plenty to eat and drink?—Yes.

3700. Did you pay for what you had?—No.

3701. Did you see anyone there pay for what he had?—No.

3702. After supper, what took place at the meeting?—A few gentlemen in the room spoke.

3703. Who were they who spoke?—I cannot particularly say now; there were some of the Learoyds.

3704. We have heard of Captain Learoyd and Mr. Nehemiah Learoyd; can you tell us which, if either, of those two?—I think his name was William Learoyd.

3705. Was Mr. John Parish there?—Yes.

3706. Did he come in after the supper?—Yes.

3707. And these speeches, which you say were made there, on whose side were they?—Colonel Crosland's.

3708. Do you remember the Sunday before the election Jonas Walker coming to you?—Yes.

3709. In consequence of what he said, did you go the next morning to the "George Hotel"?—Yes.

3710. Into which room did you go when you got there?—None.

3711. Did you not go into any room there?—No, I met him in the passage.

3712. Where did you go when you went to the "George"?—I met him in the passage.

3713. Who was it you met in the passage?—Jonas Walker.

3714. Where did you go with him?—In the passage.

3715. Did you go anywhere from there with him?—No.

3716. You remained in the passage with him?—Yes.

3717. Do you know the first room in the "George Hotel," on the right hand side of the passage, as you go in from St. George's-square?—Yes.

3718. While you were in the passage, did you see anyone coming to that room?—Many.

3719. Tell me if you saw these among the number, Thomas Robinson, the solicitor; did you see him?—Yes.

3720. Joe Wrigley?—Yes.

3721. Joseph Thornton; did you see him?—Yes.

3722. I believe Mr. Robinson spoke to you?—Yes, he did, when he came out of the room.

3723. What did he say to you?—He says, "You sit there."

3724. Where did he point?—That was by the committee-room door. He says, "Mind you do not get drunk, and Jonas will see you do not get drunk."

3725. Did you sit down by that door?—Yes.

3726. Was there anything put up on the outside of that door?—No, not that I am aware of.

3727. That was the first door on the right hand side of the passage, as you went from St. George's-square?—Yes.

3728. Was there anything put up in the window of that room; do you remember?—I am not aware that there was.

3729. While you were sitting there, on this day, Monday, who did you see go into that room; did you see Colonel Crosland?—Yes.

3730. Did you see Mr. Charles Brook?—Yes.

3731. Did you see Mr. Jere Kaye?—Yes.

3732. William Henry Aston?—Yes.

3733. Joseph Thornton?—Yes.

3734. Captain Tom Learoyd?—Yes.

3735. Joe Cliff?—Yes.

3736. Thomas Hirst?—Yes.

3737. I believe you also sat at that door on Tuesday, the next day?—Yes.

3738. Did you see those parties whom I have named

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named also go in and out on that day?—They were going backward and forward.

3739. Did you see go in and out of that room on the Tuesday those I have just named to you?—They went in many a time, backward and forward.

3740. The same parties?—Yes.

3741. In and out?—Yes.

3742. On the Tuesday, did you also see Mr. William Crosland there?—Yes.

3743. Did he go in and out of the room?—He went in and out of that room on the right hand; the long-room; backwards and forwards.

3744. I am speaking now of the first room on the right, as you come in from St. George's-square?—Did he go in?

3745. Yes?—He did.

3746. Did you see Mr. Nehemiah Learoyd, the solicitor, go in and out of that room?—Yes, several times.

3747. Did you see Mr. Joseph Hellawell go in and out of this room while you were there?—I cannot speak to it.

3748. Have you no recollection of having seen him there?—No.

3749. Did you see him at the "George" while you were there?—Yes.

3750. You do not recollect whether you saw him go into that room or out of it?—No.

3751. Did you see Mr. John Parish?—Yes.

3752. Did he go in and out of that room?—Sometimes he did.

3753. While you were there?—Yes.

3754. Charles William Mitchell, did you see him go in and out?—Yes.

3755. Was it your place to open the door to let them in?—Yes.

3756. Did you see James Waller; did he go in and out?—Yes, he did.

3757. Dan Eastwood?—Yes.

3758. Matthew Lumb Fernside, did you see him there?—Yes.

3759. John Henry Swift, do you remember seeing him?—No.

3760. Do you remember Thomas Dean coming to you while you were there?—Yes.

3761. He said something to you, but do not tell us what it was; in consequence of what he said, did you do anything?—Go to the door, and call out.

3762. Did you call anyone out of the room?—No.

3763. Did you see anyone go to Dean after he had come there to you?—Yes.

3764. Who?—Jonas Walker went to him.

3765. Anybody else?—No, not that I know of.

3766. Did he come to you again at the "George"?—Yes.

3767. In consequence of what he said to you on that occasion, did you call anybody out of the room?—Yes.

3768. Who was it?—Mr. Tolson.

3769. Anybody else?—No.

3770. Do you remember Friday, the day of the declaration of the poll?—Yes.

3771. Where were you on the morning of that day after the poll had been declared?—I was at the "George Hotel."

3772. In what room?—I was walking from one room to another.

3773. Did you go into a room there?—Yes.

3774. What room?—The long-room.

3775. Was this before the declaration or after it?—Before the declaration.

3776. About how many persons were there in the room at that time?—There would be some thing like 200, perhaps.

3777. Was Colonel Crosland there?—Yes.

3778. Did you hear him say anything, and, if so, what?—He got up, and he said he would rather than have a chairing they should come back there and have a glass of wine, or something of that sort.

3779. After the declaration of the poll, were you in the long room again?—I was at the long room door.

3780. Did Colonel Crosland come in there again?—Yes.

3781. Were there many persons there then?—Yes.

3782. What did they do?—Colonel Crosland accompanied them in, and then he went out again very quickly, and the other parties stopped in, and then the wine was served

3783. What wine?—Champagne.

3784. I should have put this question before; during the time you were keeping the door of the committee-room, tell me whether any of these parties went in and out of that room; the room on the right of the passage; Woodhead, Crosland, did he?—Yes.

3785. You kept the door on Monday and Tuesday?—Yes.

3786. During the time you were keeping the door on Monday and Tuesday, did these persons go in and out of that room; Dyson Taylor, did he?—Yes.

3787. John W. Taylor, a brother of Dyson Taylor?—I cannot speak to him.

3788. Josiah Thomas?—Yes.

3789. Mr. Bantoft, the solicitor?—I cannot be positive.

3790. Did you see him at the "George"?—Who?

3791. Mr. Bantoft, the solicitor?—I might see him there.

3792. Mr. Bottomley, the solicitor?—Yes.

3793. Did he go in and out of that room on the Monday or Tuesday?—I am not positive.

Cross-examined by Mr. *Rodwell.*

3794. You have given my friend the names of a great many persons who went in and out of that room on Monday; were there not almost hundreds of people who went in and out of that room on that Monday before the election?—Which room?

3795. The room you have been speaking of, where the meeting was; the room on the right hand; were there a great many persons that went in and out of that room?—Yes.

3796. You have not given a quarter of the names of the people, have you; you can give me a good many more, cannot you?—No.

3797. Do you mean you do not recollect them?—I do not recollect them.

3798. Or do you mean there was so many you cannot remember until they are mentioned to you; is that it; cannot you recollect the names of the people who were there unless they are mentioned to you?—Some of them I can.

3799. Where was that meeting of Colonel Crosland's side held; in what room on the Monday; was that in the long room?—In the long room.

3800. How many people were there?—There would be about 40.

3801. Where the speeches were made?—Yes.

3802. That is a large room, is it not?—Yes.

3803. A great

3803. A great deal bigger than this room?—As large as this.

3804. Was it not pretty nearly full?—No.

3805. Not pretty nearly full?—Not full.

3806. Was it pretty nearly full; do answer my question?—I did; I said it was not full.

3807. Was it nearly full?—It was not full.

3808. Was it nearly full?—No.

3809. Half-full?—(*No answer.*)

3810. Do not you know, or cannot you say, or won't you say?—(*No answer.*)

3811. Who is Jonas Walker; was he the other door-keeper?—Yes.

3812. And you received your orders from him; is that so?—Yes.

3813. Was the county election going on at the "George" on the Tuesday you have been speaking of; Lord Milton's election?—I was employed under Colonel Crosland's election.

3814. I never asked you that question; do you know or not that Lord Milton's committee and friends were sitting at the "George Hotel" on the Tuesday of which you have been speaking?—I was employed under Colonel Crosland's committee.

3815. It is a question that admits of a very simple answer; do you know whether any other gentlemen engaged in electioneering matters were there besides those engaged for Colonel Crosland?—No, I do not know.

3816. Do you know or not that Lord Milton and Mr. Beaumont spoke from the windows of the "George" that very day?—No.

3817. When you say they did not, is it that you do not recollect?—(*No answer.*)

3818. Have you been drinking this morning?—No.

3819. Then do answer my question; do you know whether Lord Milton and Mr. Beaumont addressed the meeting on that very Tuesday you have been speaking of; do you forget the fact?—No.

3820. Do you mean to say you do not recollect?—(*No answer.*)

3821. Do you mean they did not, or that you do not recollect?—(*No answer.*)

3822. Do answer my question?—(*No answer.*)

3823. Do you recollect whether Lord Milton and Mr. Beaumont addressed the meeting or not?—No.

3824. Then they may have done so without your recollecting it?—Yes.

3825. Do you know whether Mr. Wrigley, whom you have mentioned, was vice chairman of Lord Milton's committee?—No.

3826. That you do not know?—No.

3827. You do not recollect that on that very day the other party, the Conservative candidates, addressed the people in St. George's-square, close to the "George Hotel"?—No. *A. Woodhead.* 27 April 1866.

3828. You recollect nothing except what you told my friend?—(*No answer.*)

3829. Is that so?—(*No answer.*)

3830. Has your statement been read over to you lately that you have made to the other side?—(*No answer.*)

3831. Has the statement you made to the other side been read over to you lately?—No; to-day?

3832. Yesterday?—No.

3833. The day before?—No.

3834. When?—I don't remember.

3835. Do you mean positively to tell me you cannot remember?—(*No answer.*)

3836. There is a smile on your countenance; you do know and you will not tell me; I will see if I can get it out; upon your oath, cannot you tell me when that statement was read over to you, and I recommend you to be a little careful, sir?—(*No answer.*)

3837. When was that statement read over to you?—I cannot tell.

3838. Since you have been up in town?—I cannot remember when it was read over.

3839. Do you mean you cannot remember whether it was read over to you since you have been up in town, or before you came to town?—I have a very short memory.

Re-examined by Mr. *Temple.*

3840. My friend has asked you, whether a great many persons went in and out of that room, the room on the right hand that you were the door-keeper of; did you see many people, except those you have mentioned, go in and out several times in the course of those two days?—Yes.

3841. In the course of those two days, Monday and Tuesday, besides the people who have been mentioned, did you see others go in and out several times in the course of the day?—I cannot be positive.

3842. But, as regards those persons, are you certain that they did go in and out several times in the course of those two days?—No, not positive.

3843. The persons whom you have named you have said went in and out several times in the course of the day; do you remember that distinctly as to them?—Yes.

WILLIAM EASTWOOD, was called in; and, having been sworn, was Examined by Mr. Serjeant *T. Atkinson*, as follows:

3844. I BELIEVE you are a Currier?—Yes.

3845. Do you reside in Spring Grove-street, Huddersfield?—Yes.

3846. I believe you are a voter?—Yes.

3847. And you voted for Mr. Leatham, I think, at the last election?—Yes.

3848. Do you remember, some time before the last election, seeing Mr. Crosland, the Member, and Mr. Learoyd, the solicitor?—Yes.

3849. Did you see also Mr. Joseph Hellawell, the cloth finisher?—Yes.

3850. Did they call at your house?—Yes.

3851. Were they together?—Yes.

3852. I believe there was another person present with them, whose name you do not recollect?—Yes. *W. Eastwood.*

3853. Who spoke to you?—Mr. Crosland, Mr. Learoyd, and Mr. Hellawell.

3854. Do you recollect what they said to you?—Yes; they canvassed me for my vote.

3855. By the *Committee.*] Did they all three speak to you?—Yes.

3856. Mr. Serjeant *T. Atkinson.*] I presume you do not mean that they all spoke at once, but they had conversation with you?—Yes.

3857. What was said to you by any one of them,

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them, in the presence of the others? — They asked me for my vote; first, they asked me who I was going to vote for. I said that I told no one until the time; they asked me to promise my vote to them, and I said "No; not to no one, until the time."

3858. Did you say anything about approving of canvassing?—I said, I did not approve of canvassing, and I wished every one to please himself whom he voted for.

3859. Did they come in a carriage or what, to your house?—In a four-wheeled cab.

3860. I believe you have a fancy for dogs, have you not?—Yes.

3861. About three weeks before the election, did Joseph Hellawell call upon you?—He met me in Dundas-street.

3862. By the *Committee.*] He did not call?—We met in the street.

3863. Mr. Serjeant *T. Atkinson.*] Did Joseph Hellawell say anything to you?—He asked me who I was going to vote for, and I said that I did not intend to say who I would vote for until the time. He says, "Won't you vote for the Colonel," and I said, "I will not say who." He wanted to know if I had a dog I could sell him, and I said, "No." I told him a person that I heard of had a dog to sell.

3864. Was any description of the dog given?—A Scotch terrier.

3865. Was anything said about the price?—He said, I was to get him one, and he would give me a good price for it.

3866. You said you knew a man who had one?—Yes.

3867. What did he say to that?—He said I was to get him one.

3868. Do you recollect seeing Hellawell again, at the time of some little disturbance, in the street, about you?—Yes.

3869. How long before the election was that?—The night before.

3870. Was that the night before the nomination day, or the election?—The night before the polling day.

3871. What did he say or do to you?—I was going home, and before I got home, about 50 or 60 yards, several came and got hold of me, and wanted to take me contrary from my home.

3872. Who was it that got hold of you?—There was some of Hellawell's men, but their names I do not know.

3873. Did Hellawell get hold of you at all?—Yes, afterwards; when I was coming away from home.

3874. What did Hellawell say when he got hold of you?—He wanted to speak to me.

3875. Did you say anything to him?—I said, that I had promised my vote. I said who I would vote for, and that was for Mr. Leatham, and it was no use speaking.

3876. What was done to you then, if anything?—They pulled me about, all the way round, I should think 200 yards and more; they wanted to take me from the other party; the other party came, and they wanted to take me from them.

3877. By the *Committee.*] Was Hellawell present at this time?—Yes; he got hold of me.

3878. Mr. Serjeant *T. Atkinson.*] You say, that when Mr. Crosland and Mr. Learoyd, and Mr. Hellawell came to your house, they came in a four-wheeled cab?—Yes.

3879. Had you seen them together before, in cabs?—Yes.

3880. Many times before?—About twice.

3881. What were they doing, when you saw them before?—They were going into houses, where voters lived.

3882. Had Mr. Crosland, in company with these two gentlemen, anything in his hand?—He had a kind of book or paper.

3883. By the *Committee.*] What two gentlemen?—Hellawell and Learoyd.

3884. Who had the book?—Mr. Crosland.

Cross-examined by Mr. *Hannen.*

3885. When do you say it was that you saw them in a cab together?—When they were at my house; it would be somewhere about six weeks or seven weeks before the election.

3886. You are not able to fix it any nearer than that?—No.

3887. Who do you say were in the cab?—I did not see them in the cab; but the cab was opposite my door, waiting.

3888. Then it amounts only to this, that there was a cab at the door, and there being a cab at the door, you saw Colonel Crosland, Mr. Learoyd, Hellawell, and somebody else in your house?—Yes.

3889. How they had come there you do not know?—I heard a cab stop, and soon after they knocked at the door, and I went and opened it.

3890. Was it after or before that, you say, you saw them together?—I have seen them both together before and after.

3891. Where was it you saw them?—In Spring Grove-street.

3892. Then they were only walking in the street, I suppose?—Yes.

Re-examined by Mr. *Temple.*

3893. You said that you heard a cab drive up to your door?—Yes.

3894. Immediately after you heard the cab drive up to your door, whom did you see enter the room?—Mr. Crosland, Mr. Learoyd, and Mr. Hellawell.

3895. Did you see the cab waiting at your door when they came in?—Yes, it was waiting all the time they were in.

3896. Did you see where they went to when they went out of your house?—Yes.

3897. Where did they go when they went out of your house?—They crossed over.

3898. Did they or not go into any cab?—No, but the cab walked away when they walked away, and met them in South-street.

3899. Did you see the cab meet them?—No.

3900. Was the cab following them close to where they were?—Yes.

3901. You heard the cab stop, and they came into your house, and the cab was at your door, and it went away when they went away?—Yes.

3902. You had said that you saw them twice before in a cab; did you, besides seeing them in a cab, see them together walking in the streets?—Yes.

3903. When you say you saw them walking in the streets, are you speaking of those two times when you saw them in the cab, or the other times?—It was at the time when I saw them in the cab.

3904. Which time are you speaking of when you saw them in the cab?—The time they were canvassing and they had a cab with them.

3905. You have spoken of two times when you saw them in a cab; I want to know whether, besides

besides those two times when you saw them in a cab, you did or not see them walking together in the streets?—Yes, I saw them walking together in the street.

3906. Were those times when you saw them walking in the streets the same times that you saw them in the two cabs, or other times?—No, I did not see them in the cab.

3907. Then, the times you saw them walking in the streets were other times than the times you saw them in the cab?—The cab was there when I saw them walking in the street canvassing.

3908. Attend to me. You have stated that, besides the time when they came to your house, you saw them twice together in a cab?—I saw them at the top of the street; I forget the name of the street, it was at the bottom of Spring Grove-street.

3909. Were they in a cab?—I saw them in a cab there, and they got out; they stood by the side of a butcher's shop; Mr. Crosland had a book or paper in his hand. Mr. Hellawell was with them.

3910. By the *Committee.*] You saw them get out of the cab there?—Yes.

3911. Who did you see get out of the cab?—Mr. Crosland and Mr. Hellawell, and not Mr. Learoyd.

3912. Mr. *Temple.*] Who were the two you saw get out?—Mr. Crosland and Mr. Hellawell.

3913. You mentioned another time that you saw them in a cab; where was that?—I saw the cab at the time they were in the street, but that time I did not see them in a cab. *W. Eastwood.* 27 April 1866.

3914. Besides those two times on one of which you saw them get out of a cab, and on the other you saw them in the street, but did not see them get out of the cab, but saw the cab, did you see them at any other times in the street together when there were no cabs?—No, I do not know that I did.

3915. On the second occasion when you saw the cab, how far from them was the cab?—The cab moved as they moved, from one house to another.

3916. Did you see whether they went into the house or not?—Yes, they went into the house.

3917. When they went into the house what did the cab do?—It walked on opposite to the house where they were in.

3918. Did it stop, or go on?—It stopped.

3919. Then, did you see them come out again?—Yes.

3920. Did you see them go to another house?—I saw them go to about two or three houses.

3921. Did the cab do the same, or not?—It did the same.

3922. (By Mr. *Hannen* through the *Committee.*) Was it on one day, or two different days you saw Hellawell going about with Colonel Crosland in a cab?—Different days.

JOHN NORTH, was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

3923. I BELIEVE you are a Commission Agent at Huddersfield?—Yes.

3924. Were you engaged at the last election as a messenger?—Yes.

3925. Who engaged you?—Mr. Thomas Robinson.

3926. Mr. Thomas Robinson, the solicitor?—Yes.

3927. On Colonel Crosland's side, as a messenger?—Yes.

3928. I believe on the Tuesday morning you went to the "George Hotel"?—Yes.

3929. That would be the Tuesday before the election?—Yes.

3930. Did you see Mr. Thomas Robinson there then?—Yes.

3931. Do you know the rooms which were Colonel Crosland's rooms at the "George Hotel"?—Yes.

3932. There was one which we have heard of on the right hand side of the passage, as you went in from St. George's-square?—Yes.

3933. Where was the other room, if there was another room, on that day?—On the left.

3934. Was there also what we have heard of as the long-room, at the end of the passage?—Yes.

3935. I believe you were there as a messenger on the Tuesday, Wednesday, and Thursday in the election week?—Yes.

3936. On each of those days, did you go in and out of those rooms you have mentioned?—Yes, I did; I went into the committee-room and different places.

3937. During the time you were there, tell me whether you saw these gentlemen, or any of them, going in and out of the rooms that you have mentioned, the one on the right hand side, and the other on the left; Mr. Charles Brook the younger, did you see him there?—Yes.

3938. Did he go in and out of those rooms?—Yes. *John North.*

3939. Mr. Jere Kay, did you see him?—Yes.

3940. Did you see him going in and out of these rooms?—Yes.

3941. Captain Tom Learoyd, did you see him?—Yes.

3942. Mr. Nehemiah Learoyd?—Yes.

3943. Mr. Tolson?—Yes.

3944. Mr. W. H. Aston?—Yes.

3945. Joe Cliff the younger?—Yes.

3946. Joe Wrigley?—Yes.

3947. James Waller?—Yes.

3948. Dyson Taylor?—I saw Dyson Taylor there.

3949. Who is Mr. Dyson Taylor?—He is a manufacturer.

3950. Do you know whether he is related to Colonel Crosland?—I believe they are from marriage some relation.

3951. Whom did he marry?—I cannot say, but I know that they are somehow related.

3952. While you were there, did you see some persons go into the long-room with the voters?—On the day of the election?

3953. Yes, on the day of the election, if you please?—On the day of the election, I should be engaged in the polling booth.

3954. On the Tuesday or Wednesday did you see anyone go into the long room with voters?—Yes.

3955. Can you mention some of those whom you saw go in there with voters?—I cannot say exactly about that, because I was not taking particular notice.

3956. Did you receive a card?—Yes.

3957. Was it like that (*handing a card to the Witness*)?—No; I was no canvasser.

3958. Do you know that writing at the back?—It looks like Thomas Robinson's.

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3959. Do you believe it to be his handwriting?—I cannot swear to it.

3960. What is your belief?—It looks like it, but I cannot swear.

3961. Do you believe it to be his?—I cannot positively swear.

3962. You are not asked to swear to it, but what is your belief?—I believe it is, but I cannot positively swear to it.

Cross-examined by Mr. *Hannen.*

3963. You have spoken of these rooms, my friend asked you whether one was on the right, and another on the left; was one of them the bar?—The bar parlour.

3964. When you were speaking of these people being there, did you mean they went in and out of these two rooms to the long-room?—The head committee-room was on the right hand side.

3965. You mentioned one on the left also?—Yes; part of the committee went in there.

3966. Who are the people you mean when you say "part of the committee?"—I cannot say as to every one that did go in.

3967. You cannot mention any names of any who went in?—Cliff was there, and Mr. Tolson was there.

3968. When you say part of the committee, whom do you mean?—If they were on the committee, and they appeared to be so, that is all I know.

3969. That is to say, you saw them going in and out of these rooms?—Yes.

3970. Did you go in and out yourself?—Yes.

3971. You were not on the committee; were there a great many other people besides?—Yes; scores; I daresay there would be a score and more sometimes.

3972. Was that going on all day long?—It could not be when they were speaking, because they would be out in the square.

3973. Except when they were speaking out in the square, was that going on all day long?—Mostly.

3974. Were there not also people at the window looking out?—Not so many looking out at the window.

3975. There were some people who came in, and were looking out at the window?—There might be, I cannot say for that.

3976. Were not Lord Milton and Mr. Beaumont speaking to the crowd?—That was not the same election.

3977. Was it not the same day as one of those days you have been speaking about, Tuesday?—I do not know whether it was the same day or not, but I think it was in the afternoon perhaps.

3978. Were also the Conservative candidates speaking there?—Yes, at Lion Arcade.

3979. Were not the people at the windows of the room you have mentioned listening to these various speakers while they were speaking?—Yes, that would be another party canvassing; that is not what we are talking about.

3980. Then you cannot conceive the possibility of these people having come into the room to listen to the speeches?—More lots would go into the room; they would be a different set altogether to the next lot for the West Riding; and county voters are not the same as the borough voters.

3988. Were not the rooms and passages crowded?—Yes, they were crammed full.

Re-examined by Mr. *Temple.*

3982. You said these men you mention appeared to be on the committee; what did you see them do which made you say they appeared to be on the committee?—I saw them go in and out, and talking one to another, and the chairman, and so on.

3983. I think you said, in answer to my friend, that you went several times yourself into that head committee-room?—Yes, I did.

3984. When you went into that head committee-room did you see any of those persons you have mentioned in the room?—Yes.

3985. What were they doing?—They were talking one to another. I did not hear what they said; I heard Colonel Crosland make his speech.

3986. Were they standing or sitting when you went into the room?—Both.

3987. Was there a table in the room?—Yes.

3988. Was there any person who appeared to be acting as chairman?—Yes, there were Jerre Kay and Mr. Brook.

3989. Was it round the same table, or at the same table that those two men whom you have named were sitting?—Yes.

Examined by the *Committee.*

3990. What reason have you to believe this was a committee-room?—I know it was by the gentlemen sitting there; the chairman and vice chairman sitting there. I have attended every election ever since 1832. I have been engaged on every election since 1832, and voted except the last time, when I had removed out of the borough. I have had a county vote and a borough vote ever since 1832; only at this last election I had moved out of the borough. I voted for Lord Morpeth when he won and lost.

GEORGE ALLATT, was called in; and having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*, as follows:

G. Allatt.

3991. Do you reside at Chapel-hill at Huddersfield?—Yes.

3992. I believe by trade or business you are a warehouseman?—Yes.

3993. You remember the last election?—Yes.

3994. Are you a voter?—No.

3995. On the Saturday morning before the election did you see Mr. Thomas Robinson, the solicitor?—Yes.

3996. Was that near the "George Hotel"?—Yes.

3997. I believe you asked Mr. Robinson something?—Yes.

3998. What was it for?—I asked him if he could find me something to do with the election.

3999. Did he tell you to call upon him again?—Yes.

4000. Did you?—Yes.

4001. When?—On the following Monday.

4002. Where did you call upon him?—At his own office.

4003. Where is his office; how far from the "George"?—Perhaps 100 yards.

4004. Did you see him at his office then?—Yes.

4005. What did he say to you?—He told me to call in again on Wednesday morning.

4006. You

4006. You were, I believe, not in employment at that time?—No.

4007. Do you remember on Tuesday going into the "George Hotel" yard?—Yes.

4008. You were told to come on Wednesday, and you went on the Tuesday?—Yes.

4009. Did you go into the back yard of the "George Hotel"?—Yes.

4010. Did you see Mr. Robinson there when you went into the back yard?—Yes.

4011. Did he tell you to attend to any duties?—Yes.

4012. What were you to do?—Attend to the gate.

4013. What gate was that?—The back gate.

4014. The yard gate?—Yes.

4015. That yard gate opens out, where?—In the yard.

4016. Into what street?—John William-street.

4017. Did he give you any instructions as to what you were to do?—He told me to attend to that door.

4018. Were you to allow any person to come in?—One by one.

4019. Did he say what the persons who were to be admitted one by one were to do, or to be?—No, he did not.

4020. How long did you attend to that gate during the day; when did you leave?—Perhaps, about half-past nine; I cannot tell to a few minutes.

4021. By the *Committee.*] When did you begin in the morning?—In the evening, about tea-time, we commenced.

4022. Mr. Serjeant *Tindal Atkinson.*] Did you ascertain at all what character the persons had to fill who came in by that gate?—No.

4023. Were there many came in?—Yes.

4024. What became of them after they came in?—They walked away after they got their instructions what to do.

4025. Did you see any of them with tickets like that (*handing the same to the Witness*)?—There were tickets, but I cannot swear exactly to the colour.

4026. While you were standing at that yard gate, did you see Mr. Nehemiah Learoyd?—(*No answer.*)

4027. Did you see Mr. Tom Learoyd?—I did see two of the Learoyds, Captain Learoyd.

4028. You know Mr. Nehemiah Learoyd?—Yes.

4029. Did you see him come into the yard while you were stationed there?—I cannot exactly remember.

4030. By the *Committee.*] Which two Mr. Learoyds did you see?—The captain and his brother.

4031. Mr. Serjeant *Tindal Atkinson.*] Do you know Joe Cliff, junior?—Yes.

4032. Was he there?—Yes.

4033. Was Joseph Hellawell there?—I remember seeing him, but I cannot say for the same night.

4034. During the time you were at the "George," did you see Mr. Hellawell about there?—I cannot say for that night.

4035. Do you know Mr. Aston?—Yes.

4036. I am not asking about that night, but during the time you were at the "George"?—During the election?

4037. Yes?—I saw Mr. Hellawell once or twice, but cannot exactly say what day it was.

4038. Where was it?—I think I saw him once in the yard.

4039. Mr. Aston, do you recollect him?—Yes.

4040. Was he there?—Yes; I saw him at the "George."

4041. Matthew Lumb Fernside, was he there?—Yes.

4042. I believe you saw other gentlemen, did you not, in the yard?—Yes, there were other gentlemen in the yard.

4043. What did they appear to be doing in the yard?—I do not know what they were doing, but they were in the yard; I did not observe what they were doing.

4044. Did you hear them say anything?—No.

4045. Did they appear to say anything?—They were whispering together several of them, but I cannot say their business.

4046. Can you say who any of those gentlemen who were whispering together were?—(*No answer.*)

4047. Tom Learoyd; did you see him whispering?—No, I cannot say at present.

4048. You have mentioned these names; were these the persons whom you say were whispering together?—Joe Cliff and Fernside spoke together.

4049. When did you leave the gate?—Tuesday night, I believe it was.

4050. Where did you go then?—I went into the "George" then.

4051. Did you see Alfred Woodhead?—Yes.

4052. He was the door-keeper?—Yes.

4053. Where did you see him; at what door?—From the yard going to the passage; he was on the left hand.

4054. Did you come in from the back?—Yes.

4055. As you come in from the yard, on which side was the room you are speaking of that Alfred Woodhead was at?—The left-hand side from the yard.

4056. As you come in from Sir George's-square, on which side would that room be?—On the right-hand side.

4057. Did you see persons go in and out of that room while you were there?—There was Mr. Joe Cliff.

4058. Did you see Mr. Nehemiah Learoyd?—Yes, Mr. Nehemiah Learoyd was there.

4059. Did he go in and out?—Yes.

4060. Did you see Mr. Aston?—Yes.

4061. Did he do so?—Yes.

4062. On the following morning, the nomination day, did you go to the "George"?—Yes.

4063. At what time in the morning?—About seven o'clock.

4064. Did you see Mr. Woodhead there again?—Yes.

4065. What was he doing?—He was at the door.

4066. About eight o'clock, did you see Mr. Robinson there?—He was there that morning.

4067. You saw him there?—Yes.

4068. Did he say anything to you while you were with Woodhead; did he give you any directions to do anything?—He wished me to go and attend to the other door.

4069. What other door was that?—That is on the left-hand side of the passage.

4070. Coming in from the "George"?—From the front of the "George."

4071. What did Mr. Robinson say to you, when he told you to go to that door?—He wished me to take charge of the door, and take notice of

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the people who came; and if they were strangers, I was to inquire their names, and who they wanted.

4072. Was anything said about calling anybody out of the room?—Mr. Tom Learoyd was called out a few times.

4073. Were any directions given to you, as to whether you were to call persons out?—Yes, I was to call them out.

4074. Mr. Robinson said so; did he?—Yes.

4075. Do you know John Brook, the painter?—Yes.

4076. Did you see him go in while you were standing there?—I saw him in and out of the "George."

4077. By the *Committee.*] Did you see him go into this room?—I cannot swear that I saw him go into the room.

4078. Mr. Serjeant *Tindal Atkinson.*] Did you see Mr. Henry Aston?—Go into the room?

4079. Yes?—Yes.

4080. Did you see Tom Learoyd?—Yes.

4081. Did he go in and out the room?—Yes.

4082. Many times?—A few times.

4083. Did you see Mr. Nehemiah Learoyd?—Yes.

4084. More than once?—Yes.

4085. And Mr. Joseph Hellawell; did you see him there?—I do not recollect.

4086. Mr. Joseph Thornton; do you know him?—Yes.

4087. Did he go in and out?—Yes.

4088. Many times?—A few times.

4089. Mr. William Crosland, of Clothhall-street, did you see him go in and out?—I do not recollect; I remember seeing him there, but I do not recollect him going into this room.

4090. Did you see any person going into the room that Woodhead was keeping charge of?—Yes, several persons went in.

4091. Do you recollect any of them?—Mr. Aston went in several times.

4092. Tom Learoyd?—Yes.

4093. Mr. Nehemiah Learoyd?—Yes.

4094. Did you remain at the door of the committee-room, on the left hand side, until about 10 o'clock on Wednesday night?—Yes.

4095. When the persons had left, what did you do; did you sit with Woodhead?—Yes.

4096. While you were sitting with him, did you see Mr. George Binns, the schoolmaster?—Yes.

4097. Where did he go to?—He came to the front door of the "George."

4098. By the *Committee.*] What did he do?—He came into the passage.

4099. Mr. Serjeant *T. Atkinson.*] What did Binns do?—He got wild; he said there was a man lost somewhere.

4100. How long did you remain with Woodhead; was it past midnight?—About 12 o'clock; or it may be one o'clock.

4101. Where did you go then?—I went home.

4102. Did you receive any instructions from Robinson or Mr. Nehemiah Learoyd to do anything?—I was to be there again next morning.

4103. Did you go?—Yes.

4104. I believe you were employed to take an account of the state of the poll, and to bring it to the committee-room?—Yes.

4105. On the Friday, after the declaration of the poll, did you go into the "George Hotel"?—Yes, into the long-room.

4106. Did you see a number of gentlemen in the long-room?—Yes.

4107. How many do you think?—I should think there would be near upon 200.

4108. What were they doing?—They were talking with each other about different things.

4109. Was there anything upon the table?—There was some wine, I think.

4110. What sort of wine?—I don't know whether it was wine or champagne; I cannot exactly say.

4111. At this time, did you see Colonel Crosland there?—Yes; he was in the room.

4112. At the time this was going on?—Yes.

4113. Was Mr. Nehemiah Learoyd with him?—I cannot swear.

4114. On the Saturday, after the election, did you go to Mr. Robinson's office?—Yes.

4115. Did you get a note from him as to what you were to get?—Yes.

4116. Is that your note (*handing same to the Witness*)?—Yes.

[*The same was put in, and read as follows:*]

	£.	*s.*	*d.*
"George Allatt, door-keeper, 4 days	1	0	0
Dinner - - - - - -	-	2	6
£.	1	2	6

15 July 1865. Settled, *Geo. Allatt.*

Thos. Robinson."

Cross-examined by Mr. *Hannen.*

4117. I think you say you are not a voter?—No.

4118. You were only engaged during the day?—Yes.

4119. The "George Hotel" is the principal hotel in the town, is it not?—Yes.

4120. And frequented by all parties?—Yes.

4121. As a matter of fact, do you know that Mr. Learoyd was engaged on the Conservative side on the county election?—Yes, I believe he was.

4122. And some other gentlemen who came there?—Yes.

4123. If I understand you, you were first of all stationed at the yard?—Yes.

4124. Did you interfere with anybody who came in; you say you let in one at a time?—Yes.

4125. Did you prevent anybody coming in?—Yes, when they came in droves.

4126. Who did you shut out?—I shut people out when they came in droves, so as to let them come in one by one.

4127. You took care they should not come in more than one at a time?—Yes.

4128. With that exception, you let anybody in who wanted to come in?—Yes.

4129. How long were you at that gate?—Perhaps about three hours; this was in the evening I went there.

4130. When you were at the door of the room, you say you had instructions to take charge of the door, and if strangers came, you were to inquire their names?—Yes.

4131. Did you accordingly let everybody in whom you knew?—Yes.

4132. You

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4132. You did not put any restraint on anybody whom you knew?—No.

4133. Did it so happen that you shut anybody out who was sober?—I do not know that anybody came who was not well known.

4134. Can you at all say how many people came in?—No, I cannot.

4135. Were the passages and rooms of the hotel crowded?—It was crowded.

4136. The whole of the day?—Yes, on the election day.

4137. Did scores of people come into that room that you had charge of?—No, not that day; that was on the nomination day.

4138. On the nomination day did scores of people come in?—No.

4139. During the polling day, do you mean to say that scores of people did not come in?—Not during the time I was at the door; not in that room.

4140. How long were you there?—Perhaps eight or nine hours.

4141. At this distance of time could you remember any of the names of the people who went in, if they had not been mentioned to you by my friend?—Mr. Aston went in; they went backward and forward.

4142. Could you at this distance of time remember the names of any of the people who went in, if they had not been mentioned to you by my friend?—Perhaps I might.

4143. Can you remember any others than those, which have been mentioned to you?—No.

4144. With regard to the other room, could you mention the name of any person who went in and out of that room?—There was Mr. Aston went in and out.

4145. Mr. Aston seems to have gone into both?—Yes.

4146. Can you mention the name of any other person?—There were a few more gentlemen.

4147. That room at the door of which you sat, were there people at the windows listening to the speeches?—Yes; on the nomination day.

4148. You have given a statement to the other side, to Mr. Clough, have you not?—Yes.

4149. When you gave that statement, were the names of the people suggested to you?—Yes, I think so; they would be right.

4150. What was Mr. Binns so "wild" about?—He said the other party had taken a man from them.

4151. Were the "other party" the Leathamites?—Yes.

4152. How did he say they had taken a man from them?—He made this remark; he came into the "George," and he said, "What have you been doing to let the other party take one of our men?"

4153. Did he say how he had been taken?—No.

4154. The square was crowded with people at that time, was it not?—I was not in the square, I was in the "George" yard.

4155. Did you not see Leathamite partisans in the crowd?—No.

Re-examined by Mr. *Macnamara.*

4156. Do you remember the man's name who was taken?—No.

4157. You have said that when you made your statement, you were asked whether you remembered these names that you have mentioned; were you also asked whether you remembered other names?—Yes.

4158. Did you mention those that you did recollect?—Yes, at the time.

Examined by the *Committee.*

4159. How long were you in the long room on the day of the declaration of the poll?—I only looked in; I opened the door and came out again.

4160. Can you tell me who were there?—No; I could tell a few gentlemen who were in; Mr. Joe Cliff, Mr. Fernside.

4161. Did you get any champagne?—Yes; I got a little of it.

4162. Inside or outside?—Outside.

JOHN HERMAN, was called in; and, having been sworn, was Examined by Mr. *Macnamara,* as follows:—

J. Herman.

4163. You are not a voter for Huddersfield?—No.

4164. Were you employed at the last election by Mr. Thomas Robinson the solicitor?—Yes.

4165. Did you by his directions go to the "George Hotel" on the morning of the nomination day?—Yes.

4166. About what time was that in the morning?—I was ordered to go at 8 o'clock.

4167. When you got there did you find Mr. Robinson there?—He came there a short time afterwards.

4168. Was John North there?—Yes.

4169. Did Mr. Robinson tell you what you were to do?—Yes.

4170. What was it he told you you were to do?—To stand at the door and to assist Mr. North in what there was to do; parties coming in and out.

4171. Stand at the door of what room?—It was the canvassers' room.

4172. Is that the long room?—The long room.

4173. Did he tell you whom you were to admit?—That was the nomination day; we were to admit the canvassers, and other parties that were leaders belonging to Mr. Crosland's party.

4174. What did he say to you?—He told us we were to admit them when these officers gave us orders, that they were to beckon, and we were to let them in, and shut the door immediately.

4175. Did he tell you whom they were whom you were to admit?—No.

4176. Who was to tell you who it was you should admit?—The parties who were engaged as canvassers; they brought up two or three, or half a dozen, and they called in those we had to admit; they were beckoned with the finger.

4177. Did Mr. Robinson give you any names of persons you were to admit?—No.

4178. How long did you remain there, that day and the next?—Yes.

4179. During the time you were at that door did you let persons in and out of the room?—Yes.

4180. Can you give me some of the names of those you let into the room that you recollect now?—Yes. (*The Witness took a paper from his pocket*).

4181. You

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4181. You are going to look at some notes, I suppose?—Yes.

4182. When did you make them?—I just put it down this morning.

4183. Then you must not look at it at all. Do you remember the names of any that you let in that room?—Yes.

4184. Tell some of them?—Mr. Tolson, Mr. Henry Walker, Mr. T. William Burman; there were two or three more, but I cannot think of them.

4185. Did Mr. William Crosland go in?—Yes.

4186. Did Mr. William Aston?—I do not recollect.

4187. Mr. Nehemiah Learoyd?—I cannot speak to him.

4188. Captain Tom Learoyd?—Tom Learoyd was in the room, because parties had to go to him; they came and asked for Tom Learoyd.

4189. Did you see him in the room?—I cannot swear to seeing him in the room.

4190. Did you see Captain Tom Learoyd at the "George" while you were there?—No; I cannot say.

4191. Who was it you saw in the room that parties went up to?—I cannot tell their names, because I was at the door, and they went to the far end of the room.

4192. Do you know Captain Tom Learoyd?—Yes.

4193. Mr. Joe Cliff, the younger, do you remember?—I remember Joe Cliff, the younger, very well, was in and out continually, many times in the day.

4194. Mr. John Parish, do you remember?—Yes.

4195. Did Colonel Crosland go into that room while you were there?—Yes.

4196. You were paid by Mr. Thomas Robinson?—Yes.

4197. Is that the receipt?—Yes.

4198. Is that your signature?—Yes.

The same was put in, and read as follows:

		s.	d.
"John Herman.			
"Doorkeeper, three days	- -	15	–
" Dinner	- - -	2	6
"Settled.		17	6

"Thos. Robinson, "*John Herman.*

"July 15th 1865."

Cross-examined by Mr. *Hannen.*

4199. You were not a voter?—No.

4200. Was the whole house very crowded during the time that you had to take care of the door?—Sometimes it was crowded, and sometimes it was slack.

4201. At times very crowded indeed?—Very crowded indeed.

4202. Were there scores of men in the yard?—Yes; there were a great number of men in the yard.

4203. Were there a great number of people in all the rooms and passages of the house?—Sometimes there were, and at other times they were slack.

4204. Whom did you ever forbid to enter any room?—I forget the parties' names.

4205. I want to know whether you had occasion to forbid anybody going into the room?—The party that stood inside knew the voters and the canvassers, and as soon as they gave me motion that they were to go in, I had to admit them, and then the door was closed.

4206. Some canvassers brought voters up?—Yes.

4207. And then they took them into the room?—Yes.

4208. I ask you whether you forbade anybody who came in that way, to go into that room; did you ever hinder any one who came up in that way from going into the room?—Yes, many parties.

4209. Who were they?—I cannot say who they were.

4210. Where they people who were not sober?—No, not exactly that, but the party who stood at the door with me on the polling day, knew a great deal about it, and he knew a deal of non-electors. He was on one side of the door and I was on the other.

4211. Who was that?—George Brook.

4212. I understand you to say that you let in everybody that George Brook knew?—That were voters.

4213. Do you know the watchers?- No, I did not know the watchers.

4214. Did you not know of any watchers coming there?—Watchers came on the nomination day in the forenoon.

4215. What day have you been speaking of; you began with the nomination day. Did the watchers come on that day?—Yes.

4216. Did you let them into the room?—They went in to get paid.

4217. There were a good many of them?—Yes; there were a good many watchers.

4218. Can you form any sort of idea how many people went into that room?—No.

4219. Scores and scores?—Scores and scores, I am certain.

4220. Did any body suggest any names to you this morning?—No.

4221. Whom have you been talking to this morning about the names?—I have been talking to nobody about names.

4222. Have the names of persons been suggested to you at any time?—Well, we have talked parties over.

4223. Has Mr. Clough's clerk suggested names to you?—No.

4224. Upon your oath?—No; they have not suggested names to me.

4225. Have you not talked over, with anybody from that side, what the names of the persons were that you were to mention?—Yes.

Re-examined by Mr. *Temple.*

4226. You say scores and scores of persons went in and out of that room. The scores and scores of people who went in and out of that room, were they persons who were pointed out to you as voters?—They were pointed out as parties who had been watchers.

4227. Were they the scores and scores you said you saw going in and out of the room; persons employed as watchers?—Yes.

4228. When they went into the room, did you see what took place?—They went to the far end of the room to get paid.

4229. Did you see whether they got paid or not?—No, I did not.

4230. Did you see anybody sitting there to pay them?—Yes.

4231. Who?—I do not know who they were

JAMES FAWCETT, was called in; and having been sworn, was Examined by Mr. *Macnamara*, as follows:

4232. ARE you what is called a tinner at Huddersfield?—Yes.

4233. Are you a voter for Huddersfield?—Yes.

4234. I believe you married the daughter of Mr. John Woodhead Crosland?—Yes.

4235. Is he a brother of Colonel Crosland the Member?—Yes, I believe he is.

4236. When was it you married, and how long ago?—In 1858.

4237. Do you remember a requisition being presented to Colonel Crosland to stand for Huddersfield?—I remember somewhere about the time.

4238. Were you after that canvassed on his behalf?—Yes.

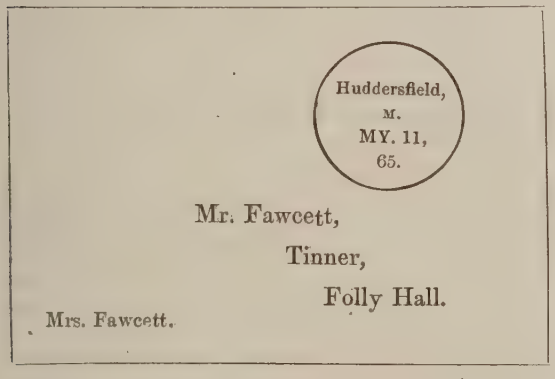
4239. After you had been canvassed, and sometime before the election, do you remember receiving a letter which you opened in the presence of William Bullock, your brother-in-law?—I remember receiving an envelope.

4240. There was no letter inside it, was there?—No letter inside.

4241. What was there inside?—A 50*l.* Bank of England note.

4242. Have you got that envelope here?—My wife has it.

4243. Is that the one (*handing the same to the Witness*)?—I believe this is it. (*The same was put in as follows*):



4244. After receiving that, do you remember going into the shop of Benjamin Shaw, next door to your shop?—Yes.

4245. Did you show the bank note to Shaw?—Yes, I believe I did.

4246. Do you remember being canvassed again for Colonel Crosland about the time you received that note?—Yes.

4247. Who came to you on that occasion?—Colonel Crosland, Mr. William Henry Aston, Joe Webb Tempest, and James Swallow; I believe those were the gentlemen.

4248. By the *Committee.*] They came together?—They came together into my shop.

4249. Mr. *Macnamara.*] Did you promise to vote for Colonel Crosland?—Yes.

4250. We see by the postmark of that letter it was dated 11th May 1865; would it be about the date you received it?—Yes, that will be the date, I believe.

4251. Can you tell us with regard to the receipt of that letter when it was you were canvassed on this occasion by Colonel Crosland and Mr. Aston?—I could not say whether it was before or after, but it was within a few days of the time I received the 50*l.* note.

J. Fawcett.

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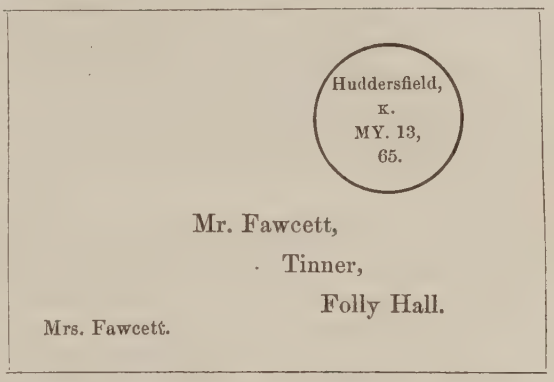
4252. Do you remember the day of the Huddersfield Fair?—Yes; it is on the 14th of May.

4253. Do you remember by that at all the day upon which they called?—I cannot tell; I did not know it was at the fair until I was told this morning.

4254. I am asking what you remember yourself; do you know at all?—No, I do not.

4255. Do you remember receiving another envelope; look at that (*handing an envelope to the Witness*)?—I do not remember receiving it.

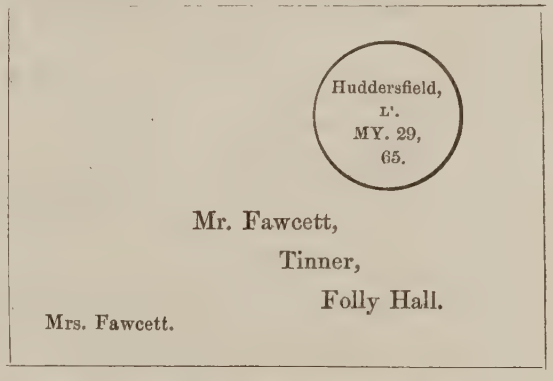
4256. Did your wife receive it?—My wife received it. (*The same was put in as follows*):



4257. What was there in that?—Three 10*l.* notes.

4258. Without any letter?—No letter.

4259. Do you remember that envelope of May 29th?—I remember my wife receiving it. (*The same was put in as follows*):



4260. What did that contain?—Three 10*l.* notes.

4261. Did you vote after that for Colonel Crosland?—I did.

4262. Did you ever, at any other time, see envelopes with that handwriting upon it?—No, I do not remember that ever I did.

4263. Did you ever learn from whom those notes came?—I never knew positively.

4264. Had you at any time received any before this time from Mr. John Woodhead Crosland?—I believe my wife had.

4265. Had you?—No, I never received any.

4266. Do you know how much your wife had ever received from 1859?—I cannot tell, I believe she has received several times.

4267. Have you ever seen any envelope like this directed to her before?—No.

 4268. Directed

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4268. Directed to her?—No, I do not know that ever I did.

4269. Had you ever before this, or your wife, to your knowledge, received any envelope with bank-notes simply in them?—Do you mean previously to the one of May 11th?

4270. Yes?—I do not know that ever we did.

4271. You would not have forgotten it if you had, I suppose?—Well, I do not know, my memory is short.

Cross-examined by Mr. *Rodwell.*

4272. Is your wife here?—She is outside, I believe.

4273. They have chosen to go into this question with you. You say you married the daughter of Mr. John Woodhead Crosland?—Yes.

4274. I believe she was an illegitimate child of his?—Yes.

4275. You married in 1858?—Yes.

4276. You have been in difficulties at times, have you not?—Yes.

4277. In the month of May last, or in the spring of last year, I believe you were insolvent, or in trouble, at all events?—In trouble.

4278. Do you know as a fact, that Mr. Crosland has, since your marriage with this daughter of his, assisted your wife with money from time to time?—Well, I only know it from my wife.

4279. You do not know positively?—I do not know positively.

4280. Have you got the Speaker's Warrant with which you were served?—Yes (*producing same*).

4281. Who is the mother of your wife; is she Ruth Ann Littlewood?—No, that is not her name.

4282. Ruth Littlewood?—Ruth Littlewood.

4283. Is she here?—Yes.

4284. Outside?—Yes.

Re-examined by Mr. *Temple.*

4285. You have been asked by my friend about your having been in trouble and received assistance; have you had any pecuniary difficulties since the election?—Yes, I have made an assignment since the election.

4286. You received these sums of money before the election; since the election, have you received any other money in a like manner?—I believe my wife has.

JOSEPH HAIGH BRADLEY, was called in; and, having been sworn, was Examined by Mr. Serjeant *T. Atkinson*, as follows:

J.H.Bradley.

4287. Are you landlord of the "Royal Oak Hotel," at Huddersfield?—Yes.

4288. I believe you are well acquainted with James Fawcett?—Yes.

4289. Were you much with him before the last election?—Yes.

4290. Which side did you and he take?—We took an active part on behalf of Mr. Leatham, as far as watching was concerned, and all things for his benefit.

4291. Did you observe, as far as Fawcett was concerned, a change afterwards?—To a certain date.

4292. When that change took place, did he show you anything?—No.

4293. Did you see anything?—No.

4294. In the shape of money?—No.

4295. Bank notes or anything?—No.

4296. When did the change take place?—About the 11th of May or the 12th of May; I cannot say to a day or two.

4297. About that time?—Yes.

4298. Had you some conversation with him about the change?—Not just then.

4299. What did he say to you?

Mr. *Rodwell* objected to the question, on the ground that it was irrelevant.

Mr. *Temple* was heard against the objection.

Mr. *Rodwell* was heard in reply.

The *Chairman* stated that the Committee were of opinion that the question ought not to be put.

4300. Mr. Serjeant *T. Atkinson.*] During this last contest before the election, did you see Colonel Crosland in the town?—Many times.

4301. Can you tell us what he was doing when you saw him?—I saw him canvassing.

4302. When you saw him canvassing, will you tell us who he was canvassing with?—Mr. William Henry Aston, Mr. Joe Webb Tempest, James Swallow.

4303. Do you know William Mathewman?—Yes.

4304. Do you know Mr. Hobson?—Yes.

4305. Do you know Parish?—Yes.

4306. Did you see these people canvassing with Colonel Crosland?—I never saw George Parish with the Colonel; I saw Mr. Hobson in company with Mr. Crosland in New-street one time just before the election, when the canvassing was going on.

4307. These men, with the exception of Parish, have you seen them canvassing with Colonel Crosland?—Joe Webb Tempest, William Mathewman, James Swallow, and Mr. Aston, were with the Colonel at the time they canvassed James Fawcett; I saw Mr. Hobson and Mr. Crosland together one time after that.

4308. When was it they were canvassing Fawcett?—I have very good reasons for recollecting; it was on the 15th of May.

4309. Was that the Huddersfield Fair?—It was; Huddersfield Fair day was on Sunday, May 14th; it was the day after the fair day.

4310. Do you say you saw Hobson on another occasion with the Colonel?—I did in New-street.

4311. What were they doing then?—They were walking down the street together.

4312. What is Hobson?—The general opinion of myself and others is that he is the editor of the "Huddersfield Chronicle."

4313. Is that Colonel Crosland's newspaper?—It is.

4314. By the *Committee.*] You say the general opinion?—It is my opinion.

4315. What is the fact?—It is generally admitted, I think.

4316. Mr. Serjeant *Tindal Atkinson.*] Hobson is the editor, as I understand you?—Yes.

4317. What did you see Hobson and the Colonel do?—I passed them as I was walking along the street. They both had some papers in their hands.

4318. Were

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4318. Were they canvassing?—Well, I should say they were. I did not ask them their business. I think they were.

4319. Do you know a Mr. John Woodhead Crosland?—I do.

4320. Do you know Mr. Joseph Crosland?—Yes.

4321. Have you seen them together?—I have.

4322. What were they doing?—It was on the day of the election.

4323. Were they in a carriage?—They were.

4324. Was it a private carriage?—I should think it was.

4325. Was the Colonel with them?—No.

4326. What were they doing?—They came down to my neighbourhood, and stopped just by the side of my house.

4327. What did they appear to be doing?—The carriage stopped; they went down the yard. There was only one gate they could get to, and that was Mr. Edmund Eastwood's, the dyer. I presume they were going to fetch him to the poll.

Cross-examined by Mr. *Rodwell.*

4328. You have a good deal of imagination, it appears?—I give my opinion to the best of my ability as to the question asked.

4329. You have very strong opinions, I believe?—Not particularly.

4330. Rather a strong Leathamite?—I have a right to my opinion, the same as anybody else.

4331. Have you been helping to get up this petition?—No, nothing to do with it.

4332. You did not subscribe to it?—No.

4333. Nothing of the sort?—I never subscribed a halfpenny.

4334. Nor put your name down?—No.

4335. You have given a statement to the other side with regard to what you have said to-day?—Yes.

4336. Did you canvass with Mr. Leatham?—No, it was not my business.

4337. For him?—I did not.

4338. Were you employed at the election?—No.

4339. What are you?—Keeper of an hotel.

4340. What is the name of the hotel?—The "Royal Oak."

4341. Is it a public-house?—I presume it is.

4342. It is not a beer shop?—No, it is not.

4343. It has got a public-house license?—Yes.

4344. Will you tell me whether you are positive you ever saw Mr. Hobson canvassing with Colonel Crosland?—What their business was I cannot state.

4345. My question is, did you ever see them canvassing together?—I say that I saw them walking on the street together with papers in their hands as though they were canvassing.

4346. Your imagination leads you to that?—I will not swear to it; I say I saw them.

4347. In fact, when my friend put the question, did you see them canvassing with Colonel Crosland; you merely saw them walking together, and they both had books or papers in their hands?—Yes.

Re-examined by Mr. Serjeant *T. Atkinson.*

4348. Did you ever see them with books and papers in their hands at any other time than the election?—No.

BENJAMIN SHAW, was called in; and, having been sworn, was Examined by Mr. *Macnamara,* as follows:

B. Shaw.

4349. ARE you a Nail Maker at Huddersfield?—Yes.

4350. And a voter, I believe, for Huddersfield?—Yes.

4351. Have you known James Fawcett for some time?—Yes.

4352. I think your shop is next door to his?—Yes.

4353. Do you remember on the 11th of May last his coming into your shop?—He comes into my shop frequently.

4354. Do you remember his coming in and showing you anything?—No, I staid at the door.

4355. Was it on the 11th of May 1865 that he came and showed you an envelope?—Yes.

4356. Did you look at it?—Yes.

4357. It had been opened, I believe, before he handed it to you?—Yes.

4358. Did you see what was inside?—I took it out.

4359. What was it you took out?—A 50 *l.* Bank of England note.

4360. After that, do you remember being in his shop when Colonel Crosland came there?—Yes, I believe I was.

4361. On what day was that?—The Monday following.

4362. The Monday following the day he showed you this envelope?—Yes.

4363. Did Colonel Crosland come into the shop?—Yes.

4364. Who was there with him?—Mr. Aston.

4365. Did you see anybody standing outside the shop?—Yes.

4366. Who?—Matthewman, Tempest, and Swallow.

4367. Did you hear Colonel Crosland speak to Mr. Fawcett?—Mr. Aston introduced Colonel Crosland to Mr. Fawcett, and then Colonel Crosland solicited Mr. Fawcett for his vote.

4368. What did Mr. Fawcett say?—He said, "I will vote for the worthy Colonel."

4369. Previously to that had you known on which side Mr. Fawcett had been; had he stated to you what his political views were, or to which party he belonged?—Yes; he had always been the contrary party.

4370. Have you been to political meetings with him?—Yes.

4371. Do you remember the day before the nomination day of the last election James Fawcett coming to you at your shop?—Yes, a few days before the nomination day.

4372. Did he show you anything then?—He showed me an envelope, and he said, "I have got another love letter."

4373. Did he take anything out of it?—He just showed me two notes; he said they were ten pounders; I did not take them in my hand.

Cross-examined by Mr. *Rodwell.*

4374. That is all that passed, is it?—Yes.

4375. Are you a voter yourself?—Yes.

4376. You

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4376. You voted for Mr. Leatham?—No; I was not on the register last time for the borough.

4377. Did you vote for the county?—Yes; I was not on the Borough Register this time.

4378. You voted for the county, did you not?—It was through a mistake.

4379. You personated a voter for the county?—No.

4380. You voted by a mistake; you mistook yourself for another man?—No.

4381. You mistook another man for you?—I can relate the circumstance, if you wish it.

4382. It did so happen that you voted without having a vote?—Yes.

Re-examined by Mr. Serjeant *T. Atkinson.*

4383. How did this arise?—There happened to be another Benjamin Shaw at Folly Hall; letters constantly came to me; I had applied to be put on the register. Not knowing but what I was on the register, and having all applications made to me; both Liberal and Tory cards came to me; I inquired if I was on the register of a gentleman, and he said "Yes, I must be put on." I made application to be put on.

4384. Were you under the impression, aye or no, that you were on the list, and could vote?—Certainly.

JOE RAYNER, was called in; and, having been sworn, was Examined by Mr. *Macnamara,* as follows:

J. Rayner.

4385. ARE you a Weaver, living at Huddersfield?—No; I live at Raistrich.

4386. Near Huddersfield?—Yes.

4387. Are you a voter?—No.

4388. Do you remember the Tuesday before the election for Huddersfield?—Yes, very well.

4389. Do you recollect going into the taproom of the "Hereford Ox," in Huddersfield?—Yes.

4390. Do you remember seeing John Wilson there?—Yes.

4391. I believe you went into the parlour?—Yes; he asked me into the parlour.

4392. By the *Committee.*] Did you see the innkeeper?—No; he is a farmer and a voter, and lives a little higher up.

4393. Mr. *Macnamara.*] When you got into the parlour, about how many persons were there?—Perhaps 12 or 14.

4394. Did you see George Binns, the schoolmaster, there?—Yes.

4395. Did you see Charles Hare, the rate-collector?—Yes.

4396. And did you see Charles Sunderland, who is a miller seller, I believe?—Yes.

4397. Is Sunderland a voter for Huddersfield?—Yes; I believe he is.

4398. When you got in there, were you asked to take anything?—Yes; John Wilson asked me to take a glass.

4399. Did you sit down and drink?—Yes; I had a glass of ale.

4400. Were the others doing so that were there?—Yes; they were getting something to drink.

4401. Did you hear Binns say something, and if so, what?

Mr. *Rodwell.*] To whom?

4402. Mr. *Macnamara.*] Did you hear Binns say something to each person in the room?—Yes.

4403. What was it; what did he ask, or say?—He asked them if they were all favourable to their cause.

4404. Did he tell them what cause?—Colonel Crosland's.

4405. Did you hear him ask Sunderland if he was?—Yes; he asked if he would vote for him.

4406. What did Sunderland say?—He asked who he was going to vote for, and he said that all depended.

4407. When he said that, did he say anything further?—He wanted to know how much he wanted to vote.

4408. By the *Committee.*] Who wanted to vote?—Sunderland.

4409. Mr. *Macnamara.*] Who asked him?—Charles Hare asked him how much he wanted to vote for Colonel Crosland, and he asked 70 *l.* George Binns said, "That's preposterous"; or something of that sort.

4410. Do you recollect Binns saying something more to the company there at that time?—George Binns?

4411. Yes?—It was Charles Hare.

4412. Well, Charles Hare?—He said, "If he would ask anything in reason, he might have it." He asked 45 *l.* to finish, and they agreed to give it to him.

4413. By the *Committee.*] Sunderland asked it?—Yes.

4414. Mr. *Macnamara.*] And they agreed to give it to him?—Yes.

4415. By the *Committee.*] Who agreed?—Charles Hare.

4416. Mr. *Macnamara.*] You say that Hare agreed to give it to him; what was said or done then?—He wanted the money, and they would not give it to him; they sat them down and jabbered a little about it.

4417. Go on, and tell us what it ended in?—Charles Hare asked him if there was not a plan by which he should be sure to get his money, and he to get his vote. Sunderland said there was; he said, if they drew up on a piece of stamped paper that they agreed to give him this money.

4418. Was anything written on a piece of paper?—Yes.

4419. Did they sign it, and put their names to it?—George Binns.

4420. Who wrote the paper?—Charles Hare wrote the paper.

4421. By the *Committee.*] Charles Hare wrote on a paper?—Yes.

4422. Mr. *Macnamara.*] Who signed it?—George Binns and Charles Hare.

4423. And then what was done with the paper that you saw?—It was folded up; I could not say whether Charles Sunderland got it or not.

4424. It was folded up, and what did you see done with it?—I could not be sure whether Binns or Sunderland had it.

4425. You say it was folded up, but you do not know whether it was given to Sunderland at that time?—No.

4426. That is so, is it?—Yes.

Cross-

Cross-examined by Mr. *Rodwell.*

4427. Was the paper stamped?—I could not see; Charles Sunderland seemed satisfied about it.

4428. Did both sign it, or only one?—I am not aware of Charles Sunderland signing it.

4429. Who signed that paper?—Charles Hare.

4430. Anybody else?—George Binns, I think, signed it.

4431. Did not Sunderland sign it?—I am not aware; I could not say.

4432. I want you to be distinct upon this, and I want you to brush up your memory a little. I ask you distinctly, how many of those three persons signed that paper?—Charles Hare signed it.

4433. Who else?—I think George Binns signed it.

4434. Do not you know whether Sunderland signed it?—No.

4435. Who signed it first?—Charles Hare.

4436. Was the paper in the room when they signed it, or did they send for it?—The paper was in the room.

4437. Whereabouts in the room?—The paper was in the room, the first time I saw it.

4438. Whereabouts in the room was the paper?—On the table.

4439. Do you mean to say it was lying on the table when you went in?—No, I do not say that.

4440. Where did it come from then?—I do not know; it was on the table the first time I saw it.

4441. Where did the ink come from?—The ink was in the room.

4442. And the pen?—Yes; I believe it was.

4443. Was that the table you were drinking at?—No.

4444. Another table; were there two tables in that room?—I think there was only one table in that room.

4445. Were there two tables in that room?—I could not say that there were two.

4446. Just attend to this; I have not half done with you yet. Were there two tables, or only one table in that room?—I cannot say.

4447. Were you drinking in that room?—I had a glass of ale there.

4448. You were drinking all round that table, were you not?—Yes.

4449. Was the writing that you saw going on, on the same table as the ale was?—I dare say it would be.

4450. Will you swear it?—I expect I am swearing it if I say it now.

4451. I only want an answer from you, either yes or no?—Well, we will say it was.

4452. No, I will not be content with that answer; was it on the same table that you were drinking that the writing was signed?—I think it was.

4453. Were there not two tables in the room?—I am not certain.

4454. Who first suggested signing the paper; who first mentioned anything about the paper?—Sunderland.

4455. Do you recollect who went out of the room to fetch any paper?—No.

4456. Did anybody do so?—I am not aware.

4457. Not aware?—No, I cannot speak to it.

4458. Was there a blotting-book and paper lying on the table when this was going on?—I should imagine there was.

4459. We will not deal with your imagination. You have come here to give a very particular account of a very gross act of bribery, and I want to see whether you are to be believed, or not?—I am not certain whether there was a blotting paper or not.

4460. You are not certain whether there was or not?—I am not positive.

4461. Who is Binns?—He is a schoolmaster.

4462. Is he here?—I do not know.

4463. Is Sunderland here?—I think so.

4464. Have you seen him since you have been up?—I have seen him.

4465. When did you see him last?—Half-an-hour ago.

4466. Outside, did you not?—Yes.

4467. Let us have this distinctly now; you say that he asked 70 *l.* first of all for his vote?—Yes.

4468. And then he asked 45 *l.*?—Yes.

4469. Did you see what was on the paper that was written on?—No; I did not get up.

4470. How many people were there in the room besides you; was there 12 or 14?—I should say about a dozen.

4471. Give me the names of any other persons besides Hare, Binns, and Sunderland, who were in the room?—There was John Wilson.

4472. Is he here?—I am not aware that he is.

4473. Have you seen him here?—No.

4474. Can you give me the name of anybody else?—No, I do not know that I can; they were strangers to me.

4475. There were 12 or 14 people in this room, and I want to know whether you can tell me any other names than those you have mentioned?—I cannot tell you one.

4476. You cannot tell me one?—No.

4477. Were you all drinking together?—No.

4478. How many were drinking together, and had glasses on that table?—John Wilson.

4479. By the *Committee.*] Did you know any one who was in the room besides John Wilson?—No; I did not know anyone except John Wilson, Charles Sunderland, George Binns, and Charles Hare.

4480. Mr. *Rodwell.*] Who is John Wilson?—He is a farmer, living a little higher up.

4481. Did he see what you saw?—Yes.

4482. When did you first mention about their voting, and what took place on the evening in question, to anybody?—I mentioned it to Mr. John Wilson that night, as soon as I got out of the door.

4483. But he was in and saw it?—Yes; I mentioned it so far as this here, that I thought it was not right.

4484. I want to know whether you mentioned it to anybody else?—Yes; I had two comrades with me, and I mentioned it to them.

4485. They had been in the room, had they not?—No, they had not.

4486. What were their names?—Henry Shear was one.

4487. What was the name of the other?—Scott Jessard.

4488. Will you tell me when it was that you made your statement as to what you have been examined on so long; when was it first taken down?—I cannot say.

4489. Yes you can. Do not keep us waiting. Who did you go to give it to?—I went to Clayton, a bookseller.

4490. And told him what you had seen?—Yes.

4491. How long was that after the election?—A fortnight.

4492. You went and told him?—Yes.

4493. Have

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4493. Have you had any conversation with Sunderland about this?—No.

4494. Never spoken to him?—No.

4495. Have you had any conversation with Binns?—No.

4496. None with Hare?—No.

4497. None at all?—No.

4498. Sunderland is here?—Yes.

4499. You do not know whether Binns and Hare are here?—I do not know Hare.

4500. What it your business?—A weaver.

4501. In good work; got plenty of business?—Just middling.

4502. How much have you been paid at present for your expenses, or anything else in coming up here?—I have had 3 *l.*

4503. Is that all you have received?—Yes.

4504. No half-sovereign at any time?—No.

4505. Nothing but the three sovereigns since the election?—Yes; I had 5 *s.* when I went to Huddersfield, when they sent for me.

4506. When you went to Clayton's?—Yes.

4507. What was that 5 *s.* for?—My day's wage.

4508. How long were you there?—I was there half-a-day's job at any rate, going and coming back.

4509. And they gave you 5 *s.* for that?—Yes.

4510. How far do you live from Huddersfield?—It is about three miles.

Mr. Serjeant *Tindal Atkinson* stated that he proposed to put in evidence a certified copy of the newspaper declaration made in conformity of the Act of Parliament passed for that purpose, which document proved that George Harper, of Huddersfield, was the printer, and Thomas Pearce Crosland, the sole proprietor of the "Huddersfield Chronicle and West Yorkshire Advertiser."

The document above referred to, was then put in, and is as follows:—"Dated September 10th, 1859. Certified copy of newspaper declaration in pursuance of an Act passed in the seventh year of the reign of his late Majesty King William the Fourth, for reducing the duties on newspapers, and amending the laws relating to the duties on newspapers and advertisements. I do hereby certify that the within is a true copy of the original declaration relating to the newspaper therein mentioned, delivered to the Commissioners of Inland Revenue, and filed and kept at the Office of Inland Revenue, at Somerset House, Westminster, pursuant to the said Act, and of an Act passed in the twelfth year of the reign of Her present Majesty, for consolidating the Boards of Excise and Stamps and Taxes. Dated this nineteenth day of April, One thousand eight hundred and sixty-six. Edward Hugh Filsley, the proper authorised officer in whose possession and custody the said declaration is kept. We, George Harper, of Huddersfield, in the County of York, printer, and Thomas Pearson Crosland, of the same place, merchant and manufacturer, do severally, solemnly, and sincerely declare and say, as follows (that is to say), I, the said George Harper, do declare and say that I am the printer of a certain newspaper, intituled 'The Huddersfield Chronicle and West Yorkshire Advertiser;' and I, the said George Harper, do also declare and say that I am the publisher of the said newspaper; and I, the said Thomas Pearson Crosland do declare and say, that I am the sole proprietor of the same newspaper. And we, the said George Harper and Thomas Pearson Crosland, do further declare and say, that the aforesaid newspaper is intended to be printed at the printing office of the said George Harper, situate and being in the Kirkgate, Huddersfield, in the parish of Huddersfield, in the County of York, and to be published at the same place. And we do severally make this solemn declaration, conscientiously believing the same to be true, and in pursuance of an Act passed in the seventh year of the reign of his late Majesty King William the Fourth, intituled 'An Act to reduce the Duties on Newspapers, and to amend the Laws relating to the Duties on Newspapers and Advertisements.' Declared by the said George Harper and Thomas Pearson Crosland, of Huddersfield, aforesaid, this tenth day of September 1859, before me, Joseph Brook, an officer of Stamp Duties, and duly appointed to take and receive declarations under the provisions of the Act 6 & 7 Wm. 4. cap. 76. Geo. Harper, Thos. P. Crosland."

Mr. Serjeant *Tindal Atkinson* stated that he proposed to put in a number of the "Huddersfield Chronicle," containing a report of a meeting convened in favour of Colonel Crosland.

Mr. *Rodwell* objected to same being put in. After some discussion,

The *Chairman* stated that the Committee were unanimously of opinion that the above document could not be put in evidence.

THOMAS SHUTTLEWORTH YATES, was called; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*, as follows:

T. S. Yates.

4511. ARE you a Reporter to the press?—Yes.

4512. Engaged on what paper?—The "Huddersfield Examiner."

4513. Do you remember Mr. Yates attending a meeting on Tuesday evening, the 21st of June 1864; a meeting called on the retirement of Mr. Ackroyd?—Yes.

4514. Is that the right date, June the 21st 1864?—Yes.

4515. I believe that was a very full meeting, was it not?—Yes, I think it was.

4516. Do you recollect seeing Mr. Nehemiah Learoyd there?—Yes.

4517. Was Mr. Jabez Wells there and Mr. Harper?—I don't recollect Mr. Wells or Mr. Harper being there.

4518. Do you recollect Captain Tom Learoyd?—No, I do not recollect Captain Learoyd.

4519. Do you recollect Mr. Josiah Hodgson being there?—I have no distinct recollection of it.

4520. Or John Crosland?—I don't know him at all.

4521. You have not got your notes of that meeting with you, have you?—No.

4522. Will

4522. Will you take that paper in your hand?—Yes.

4523. That is the paper to which you were the reporter at that time?—Yes.

4524. Did you preserve your notes?—No.

4525. They are destroyed, are they?—I don't know where they are.

4526. Did you read the report in this newspaper at the time, with reference to your notes, after it was published?—No.

4527. Are you able from looking at this paper to refresh your memory at all?—I think I am.

4528. Do you recollect who were at that meeting?—I do not remember sufficiently to say who were there; I recollect some of them.

4529. You do not recollect sufficiently to say whether that is correct or not?—I know that anything in the report would be correct; but I cannot say that I recollect every word that was said.

4530. Those names which are marked there, do you recollect them?—

Mr. *Rodwell* stated that the names marked were those whom the Witness had already said were not there.

Mr. *Temple* stated that the Witness said he did not recollect.

The *Chairman* stated that the Witness had been asked two or three names, and he had said he only recollected the name of Mr. Nehemiah Learoyd as being one of the persons present at the meeting.

4531. Mr. Serjeant *Tindal Atkinson.*] On reading that report, does that refresh your memory at all?—This is not the report of that meeting.

4532. What meeting is that?—This is a meeting that was held in the month of July by the supporters of Colonel Crosland.

4533. Were you there?—Yes.

4534. Did you take a report of it?—Yes.

4535. By the *Committee.*] What meeting is this?—It was held in the week ending July the 9th; it was a meeting at which a requisition was presented to Colonel Crosland, asking him to come forward as a candidate for the borough.

4536. Mr. Serjeant *Tindal Atkinson.*] Did you get a circular, or did you go without one?—I called at Mr. Learoyd's office for a circular.

4537. Were the circulars issued from that office?—Yes. *T. S. Yates.* 27 April 1866.

4538. Were there placards posted in the town telling the people where they were to apply for tickets; do you recollect that?—I don't.

4539. When you were there performing your duties, did you see Mr. Nehemiah Learoyd there?—Yes.

4540. Did you see Hayser?—I don't recollect him.

4541. Or Mr. Thomas Learoyd—Captain Learoyd, as he is called?—I don't recollect him.

4542. Joshua Hodgson?—I cannot say.

4543. Was any resolution moved there; do you recollect a resolution being moved pledging the meeting to support Colonel Crosland?—What I recollect about the meeting is that a requisition was presented to Colonel Crosland, and Colonel Crosland stated that he accepted it, and agreed to stand for the borough, and after that the meeting agreed to support him.

4544. Do you recollect who presented the requisition to him?—I believe it was a Mr. John Sykes.

4545. Was Mr. Nehemiah Learoyd at all active at that meeting?—

Mr. *Rodwell* objected to the question.

4546. Mr. Serjeant *Tindal Atkinson.*] What did he do?—Learoyd made a speech in support of Colonel Crosland's candidatureship.

Mr. *Temple* stated that he had been informed that the newspapers upon which he was instructed to examine the Witness had not arrived from Huddersfield, and he proposed, with the Committee's sanction, to postpone the further examination of this Witness until to-morrow morning; presuming that when he had examined the newspapers they were of sufficient importance to lay before the Committee. He desired it to be understood that, subject to the result of his having the opportunity of considering those newspapers whether they should be put in evidence, the case of bribery was now completed, and that he proposed at once to go into evidence as to undue influence.

JAMES BAWTRY was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

4547. ARE you a Cloth Dresser carrying on business at Huddersfield?—Yes. *J. Bawtry.*

4548. Were you entitled to vote at the last election?—Yes.

4549. I believe you were canvassed by both sides?—Yes.

4550. And you refused to pledge yourself?—Yes, I did.

4551. Do you remember on the evening of the nomination-day Joseph Oxley, a cab proprietor, coming to your house?—Yes.

4552. While he was in your house at that time, did you see Colonel Crosland passing up the street?—Yes.

4553. Did Oxley then go to the door of your house?—Yes.

4554. What did he do then?—He called Colonel Crosland in.

4555. Did Colonel Crosland come into your house?—Yes.

4556. Who came into the house with him; did Oxley come in with him?—Yes, and I believe Mr. Thomas Webb.

4557. Did Thomas Webb come in with Colonel Crosland?—Yes.

4558. When Colonel Crosland came in, what did he say to you?—He said, "Come, my lad; you go with me."

4559. What did you say to him?—I said, "No, I have not had my tea yet, and I shall not go with no one until I have had it; and he then said, "Did you not promise me your vote at Mr. Hassell's?" I said "No;" and he got into a bit of a rage, and he banged his hand on the table, and said he would not go without me; and he said "If you don't vote for me you are done."

4560. Did he say anything more to you?—He said no more than that to me.

4561. Who were you working for at that time?—Mr. Hassell.

4562. A cloth finisher?—Yes.

4563. Was

J. Bawtry.
27 April 1866.

4563. Was he a supporter of Colonel Crosland?—Yes.

4564. When he said "If you do not vote for me you are done," did you say anything to him, or did anyone say anything to him?—A man in the room said if I was going to lose my work I should not lose my fingers.

4565. Was there a Mr. Dickinson in the room at the time?—Yes.

4566. Did he say anything in the hearing and presence of Colonel Crosland?—He said, if I lost my work he would go round with a book and get up sixpences a-piece all round to make my wage up.

4567. That was, you say, in the hearing of Colonel Crosland?—Yes.

4568. By the *Committee.*] That was not the same man, as I understand you, who said that if you lost your work you would not lose your fingers?—No.

4569. He said he would go round and get sixpences, and make the wages up?—Yes.

4570. Mr. *Macnamara.*] Was your wife in the room at the time, and was she near enough to hear what was said?—Yes.

4571. I believe you voted for Mr. Leatham?—Yes.

Cross-examined by Mr. *Rodwell.*

4572. Who are you working for?—Mr. Hassell.

4573. The same person as you worked for before?—Yes.

4574. You have worked and are still working for Hassell, and you voted for Mr. Leatham, and no harm has happened to you?—No.

4575. Where did you sleep the night of the nomination?—At home.

4576. All night?—Yes.

4577. Were you not at the "Pack Horse," that night?—Yes, I was there about a couple of hours.

4578. What time did you go?—About eight or nine o'clock.

4579. Did you not stop there long?—Until about 11 o'clock.

4580. Who was with Colonel Crosland when he came and spoke to you in this public-house?—Public-house!

4581. I beg your pardon; at your own house?—There was Oxley.

4582. Did Colonel Crosland come in alone?—I believe there was young Tom Webb with him; I will not be sure; the house was so full of people, that I could not say.

4583. What were they doing at your house?—They had followed Mr. Crosland in.

4584. There were some Leathamites there, as well as Mr. Crosland's people?—There was one Leathamite, and that is all.

4585. Did Colonel Crosland say this loud enough for every one to hear?—Yes.

4586. Now what was it he said; repeat it to me again?—He said, if I did not vote for him, "you have done."

4587. That is what you understood he said; it was not this, "that if you did not vote for him he would be done"?—No.

4588. Nothing of that sort?—No.

4589. Had you not promised to vote for him before?—To vote for him?

4590. Yes?—No.

4591. Do you recollect his coming to you, with Mr. Learoyd, up to Mr. Hassell's?—Yes.

4592. Did Mr. Hassell state then to you, "Here is Colonel Crosland; do as you like; do not vote for him unless you like; do just as you please"?—Yes, he told me to do just as I pleased.

4593. Your master told you not to be influenced by him, but to do just as you liked?—Yes.

4594. That was in the presence of Colonel Crosland and Mr. Learoyd?—Yes.

4595. He did not say it in the front of him; he said it to you?—Yes.

4596. So that you were to please yourself?—To please myself which way I went; but he said, he would rather me go for Crosland.

4597. At the same time he said, that he told you not to be influenced by him?—Yes.

4598. What answer did you make to Colonel Crosland; what did you say; did you say, that you would think about it?—I said, I would see.

4599. By the *Committee.*] When was that?—

Mr. *Rodwell.*] It was a few days before the nomination day.

4600. Did you not say to Colonel Crosland, you thought you should go with your master?—No.

4601. Nothing of that sort?—I said, I should see, and that was all the words I said to him.

4602. Was that all you said?—Yes, that was all I said to him altogether; I said, "I will see; I will see."

4603. You did not say, you would not vote for him?—No.

4604. When did you make up your mind to vote for Mr. Leatham?—About a day or two before.

4605. Before the election?—Yes; I said I should vote for him all along.

4606. You did not tell Colonel Crosland that?—No, I was not going to tell him every thing.

4607. No notice has been taken by Mr. Hassell of anything you have done since then?—No.

Re-examined by Mr. *Temple.*

4608. You say that Mr. Hassell, your employer, told you to vote for whoever you liked?—Yes; he said he should like me to vote for Mr. Crosland, but that I could please myself.

4609. I want to know when he said that; was that before the day on which he came into your place and used that language to you, or was it afterwards; was it before or after the day that you say Mr. Crosland used that language to you?—It was on the nomination day that he used that language.

4610. Was it before the nomination day that Mr. Hassell told you that you could vote as you liked?—Yes.

4611. Was Mr. Crosland present when Mr. Hassell told you you could vote as you liked?—No.

4612. Was anybody present except yourself?—No.

4613. Mr. Hassell told you, some days before the nomination day, to vote either way, but that he would like you to vote for Mr. Crosland?—Yes.

4614. And it was on the nomination day that Mr. Crosland used that language to you which you have stated?—Yes.

4615. By Mr. *Rodwell.*] I want to understand this; was it not in Colonel Crosland's presence that Mr. Hassell, your master, said, "Now, Bawtry, do as you like, and don't let me influence your vote;" was it not on the occasion when you saw Colonel Crosland?—I cannot recollect their saying that word at all.

4616. Will

4616. Will you swear that he did not?—I cannot say that he said it.

4617. What did he say?—I don't think that he said anything; he just took me downstairs to them. *J. Bawtry.* 27 April 1866.

JANE BAWTRY, was called in; and, having been sworn, was Examined by Mr *Macnamara*, as follows:

4618. ARE you the wife of the last witness?—Yes.

4619. Do you remember, on the nomination day of the last election for Huddersfield, Colonel Crosland coming into your house?—Very well.

4620. Were you near enough to hear what passed between him and your husband?—Yes.

4621. Just tell us, if you please, what it was you heard?—Well, Mr. Oxley and another person came in first, and Mr. Oxley said——

4622. Never mind what Oxley said. What took place after Colonel Crosland came in?—He was coming up the street, and they called him in, and he came in, and went to my dresser; as he was sitting on the dresser—"Just come with me," says he, "you placed your vote to me;" and my husband says, "No, I have not placed it to no one yet;" "and he says you placed your vote to me; put your hat on, and go with me;" and he says, "No, I have not had my tea; I have only just come home from my work, and I will not go out with no one yet;" and then he got talking with another person who was canvassing with Leatham, who was sitting at the dresser end, and I don't know his name; and then, after talking with him a few words, he said again to my husband, taking him by the shoulders, "If you don't give me your vote you are done;" and those were the last words that Mr. Crosland used in my presence.

4623. Did you hear some one then say anything to Colonel Crosland?—There was one witness, Dickinson, and he says, "For shame, Mr. Crosland, to say such a word as that;" he says, "You ought to be ashamed of yourself; but you have done your work, lad; I will take a book in my hand and I will collect your wages every week, and I will put 6 *d.* to it myself while you are out of employment."

Cross-examined by Mr. *Rodwell.*

4624. I suppose it was Mr. Leatham's friend who said that?—No, he was not a voter. *Jane Bawtry.*

4625. Who is he?—They call him George Dickinson.

4626. Was this what he said, "Well, if you don't vote for me, you have done;" or was it, "If you don't vote for me, I am done;" which was it?—"You have done."

4627. "You have done"?—Yes.

4628. Now, just attend; are you quite sure that Colonel Crosland did not say this, "If you do not vote for me, I have done"?—I am sure that "You have done," were the words.

4629. Pray attend; I do not want to entrap you or to mislead you, but did Colonel Crosland say this, "If you don't vote for me, I have done"?—"You have done."

4630. You are quite sure the words were, "You have done"?—Yes.

4631. And not "I have done"?—He said, "You have done."

4632. What was it, "You have done," or "I have done"?—He said, "You have done;" them were the words he used.

4633. Not "I have done"?—No, but "You have done."

4634. That you are perfectly sure of?—Yes, I am certain of that.

Re-examined by Mr. *Temple.*

4635. You say, that immediately after he said "You have done," Dickinson said he would take a book and collect sixpences. Did he say that he would collect the sixpences for Colonel Crosland, or for your husband?—For my husband.

GEORGE DICKINSON, was called in; and, having been sworn, was Examined by Mr. *Macnamara*, as follows:

4636. ARE you a Milk Dealer, carrying on business at Huddersfield?—Yes. *G. Dickinson.*

4637. On the evening of the nomination day for the last election did you see Colonel Crosland going into James Bawtry's house?—Yes.

4638. Did you follow him in?—Yes.

4639. When you got in what did you hear Colonel Crosland say to James Bawtry?—I heard him ax him if he would vote for him.

4640. What did he say?—He said "No;" he said he had pledged for him.

4641. What did he say to that?—He said he had not, that he had pledged for no one; he said, "You have, and you must go with me;" he said, "I shall not go at all, I shall go with no one." Mr. Crosland said, "You must go with me," and he says, "I shall not go." Mr. Crosland says, "You must go; and if you don't," he says, "it will be the worse for you."

4642. What was then said?—I said, "For shame, Mr. Crosland; if that be so, I will take a book and go round and gather Bawtry's wages as long as he is out of employment, and I will give him sixpence a-week myself."

4643. I believe that Colonel Crosland then went out of the house?—Yes.

4644. As he was going out of the house did you hear him say anything?—He said, "You shall rue for that;" those were the last words I heard him speaking.

4645. To whom did he say that?—To Bawtry.

Cross-examined by Mr. *Rodwell.*

4646. Did Bawtry make any answer to that; do you recollect him saying anything in reply to "You shall rue for that"?—There was a little bit of a din where they were.

4647. So that you might perhaps not have heard what he said?—No.

4648. You swear that he said those words, "You shall rue for that"?—Yes.

G. Dickinson.
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4649. Did he shake his fist at him?—Yes, he shook his fist at him.

4650. Both fists?—No.

4651. Only one?—Only one.

4652. You are quite sure of that?—Yes.

4653. You are a Leathamite, are you not?—No.

4654. Have you not a vote?—No.

4655. Who do you work for?—I work for myself.

4656. What as?—Milk dealer.

4657. Are you quite sure that you have told us accurately the words that passed; are you quite sure that you have told us the exact words that Colonel Crosland used?—Yes, I am.

4658. And you have told all that you recollect?—Yes, I have told what I heard.

Re-examined by Mr. *Temple.*

4659. You said there was a bit of a din in the house; have you told us all that you heard?—Yes.

JOHN ROEBUCK, was called in; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson,* as follows:

J. Roebuck.

4660. YOU live at Marsh, I believe, and you are an engineer and farmer?—Yes.

4661. I believe you were on the register?—Yes.

4662. Where is Marsh?—Near Huddersfield; about a mile.

4663. Is it in the borough?—Yes.

4664. Did Colonel Crosland call at your house before the election?—Yes.

4665. Did anybody come with him?—Yes.

4666. Who?—I met him in the room; he did not come in at first, but he did come.

4667. Was anyone with him?—A man of the name of Brook.

4668. Do you know Hurst?—Yes.

4669. He is a rate collector, is he not?—Yes.

4670. Did Hurst come with him?—Yes.

4671. Did they ask you for your vote?—Yes.

4672. Who did?—Mr. Crosland.

4673. What did you say to him?—I said I should not promise it to him then.

4674. I believe the other side canvassed you; did you promise them?—Yes, I did.

4675. About a fortnight before the election, did William Calverley come to see you?—He did; he is my next-door neighbour.

4676. What did he come to you about?—He wanted me to vote for Mr. Crosland.

4677. Did he come many times for that purpose?—Yes.

4678. What did you say to him?—I would not promise him.

4679. Did he say anything to you; did he promise anything?—Yes.

4680. What?—He promised me a piece of cloth to make me a new suit if I would vote for him; indigo blue.

4681. What colour is that?—It is reckoned the best colour there is, that colour is.

4682. Was there anything else said by Calverley to you?—Yes, he promised that if I voted for them, if he did not give it to me, he would bring me some money into my house.

4683. He said he would leave you what?—He said he would leave me 2 *l.* or 3 *l.*; he was not going to give it to me.

4684. Was anything said about taking it up?—Yes, he said I must take it up if he put it down.

4685. What did you say?—I said I would have nothing for my vote.

4686. Do you recollect having some ducks?—Yes.

4687. Did Calverley say anything to you about your ducks?—He said he would give me a couple of sovereigns for one.

4688. For what were you to have a couple of sovereigns?—For a duck.

4689. Were you to do anything besides; was anything to be given in exchange?—To vote for Mr. Crosland if I sold it.

4690. Did you ever see Calverley and Colonel Crosland together?—I cannot say that I ever saw them exactly together, but I have seen them in the committee and canvassing.

4691. By Mr. *Rodwell.*] Have you seen Calverley with the committee?—Yes.

4692. Mr. Serjeant *Tindal Atkinson.*] Did he get the ducks?—No.

4693. Why?—I would not let him have it; I would not vote for Crosland.

4694. By the *Committee.*] It was only one duck?—Yes, only one.

4695. Were you in front of your house between 8 and 9 o'clock on the nomination day?—Yes.

4696. Did you see Calverley?—Yes, he came to me.

4697. Did he come up to you?—Yes.

4698. What did he say to you?—He wanted to know if I was going down to the nomination.

4699. What did you say?—I said I expected I was; I had a few jobs to do before I went down.

4700. Did you leave your house in the morning about half-past 9 o'clock?—Yes; I went to Paddock End.

4701. That is on the road to Huddersfield?—Yes.

4702. You went into a shop there?—Yes.

4703. When you came out of the shop, did you see Calverley?—Yes, he stopped, waiting for me.

4704. Did you go down with him?—Yes, we come down to Huddersfield.

4705. When you got into Granby-street, did Calverley say anything to you about his cousin?—Yes, he wished me to call and have a bottle of port with him,

4706. Did you go to Mrs. Gibson?—Yes.

4707. Is she Calverley's cousin?—I believe she is.

4708. When you got in, what did Calverley say?—He asked me what I would have to drink, and he got two bottles of port.

4709. Did you have anything to drink?—Yes.

4710. Who paid for it?—Calverley.

4711. I believe you went to the nomination together?—Yes.

4712. Did you remain in St. George's-square on the nomination-day until nearly the close of it?—I stopped about an hour.

4713. Then, I believe, you left, and I will take you to the "Farmer's Boy" public-house; did you see Calverley there again?—Yes, I saw him there; he came to me there.

4714. You had something to drink there?—Yes.

4715. Did

4715. Did Calverley pay for it?—Yes.

4716. After you had drank the second glass, what came over you?—It made me dizzy.

4717. Were you ever taken in that waybefore?—I cannot say that I ever was.

4718. By the *Committee.*] Was it porter or ale that you drank?—I believe it was whisky.

4719. Do you remember saying anything to Calverley about going home to milk the cows?—Yes.

4720. I believe you left the "Farmer's Boy," did you not?—Yes.

4721. Who went with you?—He went with me.

4722. Where did you go to?—We went to a place called the "Old Hat" inn.

4723. That is at a place called the West Parade?—Yes, I believe it is.

4724. Had you something to drink there?—Yes.

4725. Who paid for it?—Calverley paid for what we had.

4726. By the *Committee.*] What had you there?—I don't know what we had; some muck of liquor, but I don't know what.

4727. Mr. Serjeant *Tindal Atkinson.*] After you had had something there, do you recollect going out and meeting Calverley's son, and some people with him?—When we went out they wanted me to step into a gig; he sent for his own horse, and it stood at the door.

4728. Calverley's horse was harnessed to it?—Yes.

4729. What did Calverley and the people say to you?—They wanted me to get in and ride home; I said I would rather walk.

4730. Who were you to ride home with?—Calverley.

4731. What did you say to that?—I said I would rather walk.

4732. Why would you have rather walked?—There was a footpath by which I could go.

4733. By the *Committee.*] You declined to ride?—Yes; I walked on as far as the South Parade. He was in a gig, and two of his people and he helped me into the gig.

4734. Did you know who helped you in?—I don't know what they call them.

4735. Did they drive on?—Yes, they drove on.

4736. Did you find that you were going in the direction of Marsh?—I did, at first; but I found that before they had got 200 yards they turned off. They turned in another direction.

4737. Away from Marsh?—Yes.

4738. What did you say to that?—I said we were going wrong.

4739. What did Calverley say?—He said, "We will go round by Grimescar Wood. It will be a little bit of air for us."

4740. Were you on the Bradford-road?—Yes.

4741. That is in a different direction from Marsh?—Yes.

4742. When you found that you were not going there, did you say anything to him about it?—Yes; I said we were going wrong.

4743. And he said that you were going round by Grimescar Wood?—Yes.

4744. Did you drive about for any time?—They drove on till we got to Bradford.

4745. By the *Committee.*] How far is that from Huddersfield?—About 12 or 13 miles.

4746. Did you say anything about jumping out of the gig?—Yes.

4747. Did they go fast or slow then?—They went very fast.

4748. I suppose that stopped your idea of jumping out?—Yes.

4749. When you got to Bradford, what time in the evening was it?—Sometime in the evening; I don't exactly know.

4750. Where did he drive you when you got to Bradford?—I don't know the name of the public.

4751. It was a public-house?—Yes.

4752. Did you and Calverley go into the public-house and have something to drink?—Yes.

4753. Did some one come out in the course of the evening, and speak to Calverley?—There was a person.

4754. Did you know him?—No, I did not.

4755. Did you go to that person's house to sleep?—Yes.

4756. How far from the public-house was that?—It was not so far. It was in the same street, about 40 or 50 yards.

4757. When you got to Bradford what state were you in, with regard to the clearness of your head and your intellect. I will put it in another way. What state was your head in; had the liquor had an effect upon your head which you had never felt before?—It had.

4758. What was the effect?—After I left the "Farmer's Boy" I could have managed to go home nicely, if they had let me.

4759. Did you feel stupified, that is what I mean?—Yes.

4760. Did you sleep there?—Yes, we slept there.

4761. The following morning was the polling day, was it not?—Yes, it was.

4762. Did Calverley sleep in the same bed with you?—Yes.

4763. About half-past three o'clock you found yourself in bed with Calverley; did you get up?—Yes.

4764. By the *Committee.*] At half-past three in the morning—when?—In the morning.

4765. On the following morning?—Yes.

4766. While you were dressing yourself, did Calverley awake up?—Yes.

4767. What did you say to him?—I told him I thought it was a queer system this, and I wanted to know how it was.

4768. What did you do?—I got up and dressed me, and went out of doors; and when I got out I met the man of the house at which we slept, and he gave me a glass of whisky, and got me to stop.

4769. Who gave you a glass of whisky?—The man of the house.

4770. By the *Committee.*] The landlord?—No, that was not a public-house.

4771. It was not a public-house at which you stopped?—No.

4772. Mr. Serjeant *Tindal Atkinson.*] Did you try to find your way back to the railway station?—No.

4773. Why not?—Because I had no money.

4774. How was that; had you lost it?—No, I never took any down; I only took what would fit me on the nomination day; only a few coppers.

4775. Did Calverley come to you after you got back to the public-house?—Yes.

4776. Did you have something to drink?—Yes; we went into the kitchen, and we had three pints of beer between us.

4777. Who paid for that?—Calverley.

4778. While you were in the public-house, did

J. Roebuck.

27 April 1866.

Calverley ask you about your vote?—I don't know that he did. He asked me in the morning. He asked me when we were coming back again from Bradford.

4779. What did you say?—I said I would not promise.

4780. By the *Committee.*] When did you get back from Bradford?—On the polling day.

4781. What time?—About dinner time.

4782. You stayed in Bradford until about dinner time?—No; we had got to the "New Inn," on the Bradford-road.

4783. Is the "New Inn" in Huddersfield?—Yes, it is in the borough, on the Bradford-road.

4784. Mr. Serjeant *Tindal Atkinson.*] Do you recollect stopping at two or three places coming back?—Yes.

4785. Had you any lunch?—No, not at the "New Inn."

4786. Had you lunch on the road?—Yes.

4787. How long did you stay at lunch?—About an hour and a-half.

4788. Where was that?—I don't know. It was on the Bradford-road; between Bradford and Huddersfield.

4789. Do you recollect coming near the "Lamb Hotel"?—After we had been to the "New Inn."

4790. Was that about two o'clock in the afternoon?—Yes.

4791. Did you go into the "Lamb" with him?—Yes.

4792. Is it the "New Inn" or the "Lamb" that you went to?—We went to the "New Inn."

4793. Did you find any of Crosland's friends there?—I thought they were Crosland's supporters.

4794. By the *Committee.*] That was at the "Lamb"?—At the "New Inn."

4795. Mr. Serjeant *Tindal Atkinson.*] Did Calverley say anything to you about your voting for Crosland?—Yes, he said it was time to vote; and he said, "Get ready, and we will go and take a fly, and you shall go and vote for T. P." That is what he called him. When he got into the passage he said, "Come along and vote. Get into a fly." I said, "If I vote, I shall vote for Leatham." Then he said to some of his people, "You take care of him until I come back. If he will not vote for T. P. take care of him until I come back"; and he went and voted.

4796. Did you see him get into a cab?—Yes.

4797. Did the cab drive away?—Yes.

4798. Why did you not leave the house?—Because they would not let me.

4799. Was the door closed?—The company that were in there would not let me. He said, "Take care of him till I come back."

4800. While he was away, you had a glass of ale?—I daresay I did.

4801. Did Calverley come back?—Yes, he did.

4802. I believe you drove home to Marsh in the same gig?—Yes.

4803. What time did you reach Marsh?—About 6 o'clock.

4804. That was after the poll was over?—Yes; the poll was over at 4 o'clock.

4805. Have you ever seen Calverley with Colonel Crosland?—I cannot say that I have seen him. I have seen him with his supporters. I cannot say that I have ever seen them publicly together.

4806. Have you ever seen Leach Hurst canvassing with the Colonel?—Yes.

4807. Did Calverley take an active part in the election?—I believe he did.

4808. What did he do?—He was about.

Ordered, That the Committee be adjourned till 11 o'clock to-morrow.

Saturday, 28th April 1866.

RIGHT HONOURABLE LORD NAAS, IN THE CHAIR.

The Names of the Committee were called over:—All present.

JOHN ROEBUCK was called in; and, having been sworn, was cross-Examined by Mr. *Hannen*, as follows:

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4809. YESTERDAY you mentioned the name of Calverley; what is Calverley?—He is a cloth finisher, and lives at Marsh, near Huddersfield.

4810. Where is Marsh?—About a mile from Huddersfield.

4811. Is he a voter?—Yes.

4812. Is he a friend of yours?—I know him as a neighbour.

4813. You live next door to one another?—Yes.

4814. You frequent the same public-house?—Not often.

4815. Sometimes?—We have drank together; very seldom.

4816. Is he a person whom you are accustomed to meet?—No, he is not.

4817. He is not?—No.

4818. Is he here?—I don't know.

4819. Have you seen him here?—Yes.

4820. When did you see him here?—This morning.

JOHN STANLEY was called in; and, having been sworn, was Examined by Mr. *Temple*, as follows:

J. Stanley.

4821. I BELIEVE you live at Manchester-road, in Huddersfield?—Yes.

4822. Do you remember the Tuesday before the election day?—Yes.

4823. By the *Committee.*] Are you a voter?—No.

4824. Mr. *Temple.*] Do you remember meeting John Parish?—Yes.

4825. Was George Woodhouse with him?—Yes.

4826. Did Parish say anything to you?—He asked me what I was doing, and I said that I was hay-making for Mr. Keithley, one of the Commissioners of the Huddersfield Improvement.

4827. What did he say?—He said he had a better job, if I had a mind to do it; and I gave Mr. Keithley's coachman notice that I should not go any more; and then he put me on that night, when I went to the "George" committee room.

4828. Were you to meet Parish that same night?—Yes.

4829. Where were you to meet him?—At the "George Hotel" committee room.

4830. When you got to the "George Hotel" committee room, was Woodhouse with you at the same time?—I do not recollect meeting Woodhouse there at the same time.

4831. Did Woodhouse go towards the committee room?—No; I saw Parish.

4832. Did Parish, in your presence, say anything to Woodhouse?—No; I did not hear him say anything to him.

4833. Then you went and saw Parish; did you see anyone at the committee room?—There was a deal together whom I did not know.

4834. Do you recollect whether you saw Captain Learoyd there?—Well, I cannot exactly remember whether I saw Captain Learoyd there; there were so many in there.

4835. Try and recollect; tell me whether you can recollect seeing Captain Learoyd in the committee room?—I really do believe he was there.

4836. Upon thinking of the matter, can you recollect whether you saw Captain Learoyd, or not, there?—Yes; I believe he was in the place.

4837. Do you remember Parish saying anything to Captain Learoyd in your presence?—Yes; he said I was the man that he wanted to watch Tom Naylor.

4838. Upon that did Captain Learoyd give you anything?—He gave me a card with a private mark on.

4839. What was on that card?—It was a private mark which I could not make out; I could not make out what was on it.

4840. When he gave you a ticket, did he say anything to you?—He said nothing but that I was to go straight away on my beat, and watch his house.

4841. Naylor's house?—Yes.

4842. Was the word "Payment" mentioned at all?—Ten shillings, he said, I was to have.

4843. Was payment mentioned in connection with that ticket?—No.

4844. Did you and Parish go away from Learoyd?—He went away straight to the place.

4845. Did Parish then give you any directions as to what you were to do?—No; only I was to watch him.

4846. Do you remember Wednesday morning?—Yes.

4847. That

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4847. That being the nomination day?—Yes, it was.

4848. Was this the ticket that was given to you, or was it like this (*handing a card to the Witness*)?—No; I believe it was a blue one.

4849. That is a blue one?—No, that is not it.

4850. Was it like that?—It was not so broad as that; that would make two of them.

4851. Early on the Tuesday morning, where did you go to?—I went into Naylor's house.

4852. About what time in the morning would that be?—About ten minutes to six.

4853. Naylor's house is a beer-house, is it not?—Yes, it is.

4854. Were there some other persons sent to watch Naylor along with you?—Yes; I had two more with me.

4855. Did you all go into the house?—Yes.

4856. After you had been there a short time, did Parish and George Woodhouse come to you?—Yes.

4857. About how long had you been there?—Well, we might have had a small bottle of beer a-piece; a bottle that would hold about a gill glass.

4858. When Parish and George Woodhouse came in, had you anything to drink?—Yes; we had something in our glasses; we had not drank it all up.

4859. Did Parish invite Naylor to drink?—Yes, they did.

4860. Did Naylor drink?—No, he would not take any.

4861. Do you recollect Woodhouse then proposing to Naylor to go anywhere?—Yes; he proposed to him to go to the "Albion" inn.

4862. Who asked Naylor to go to the "Albion" inn?—George Woodhouse.

4863. Mr. *Temple.*] Did you all go to the "Albion" inn?—We did.

4864. Who walked first?—Naylor and Woodhouse.

4865. Did Parish go with you to the "Albion" inn?—Yes.

4866. When you got to the "Albion" inn, what had you?—We had a glass of whisky all round.

4867. Did Naylor take some of the whisky?—Yes.

4868. While you were staying there, did you hear either Woodhouse or Parish propose to Naylor to do anything?—I heard him ask the question, whether he would take a ride into the country.

4869. Did he say whether he would or not?—He like hesitated for a moment.

4870. He hesitated?—Yes.

4871. After a little while, did Parish send you anywhere?—He sent me to Mr. Sykes and Joseph Mellows for a cab.

4872. Are they in partnership?—Yes; they are two brothers.

4873. By the *Committee.*] Parish did this?—Yes.

4874. Mr. *Temple.*] Did you go for a cab?—Yes, I did.

4875. Did you bring one?—I did.

4876. What sort of a cab was it?—A four-wheeled cab.

4877. Do you know who was the driver of that cab?—George Northrop.

4878. Did you tell Northrop anything?—No; I told him that we merely wanted a cab.

4879. And he drove immediately?—He drove immediately; and I went along with him.

4880. By the *Committee.*] Did you go to the "Albion"?—Yes.

4881. Mr. *Temple.*] At the time you got back with the cab, was Naylor in the "Albion"?—Yes.

4882. What room was he in?—He was in the bar.

4883. Was he sitting with any people?—He was sitting with Woodhouse and Mr. Parish.

4884. Were they all drinking or not?—Yes.

4885. What were they drinking?—Whisky.

4886. It was a four-wheeled cab; did it go to the front door or into the back yard?—Into the back yard.

4887. Had you told the driver to drive into the back yard?—Yes; I was ordered to tell him to do so.

4888. When you went in, did you intimate to him that there was a cab there?—Yes, I told him that there was a cab there waiting.

4889. Did you hear Parish or Woodhouse say anything again to Naylor?—I heard them ask him to go and take a ride out.

4890. Did he consent; did he hesitate?—No, he never hesitated at all.

4891. Did you see them go away?—Yes, I saw them go right away.

4892. Did you see any of them get into the cab?—Only Naylor and Woodhouse got outside.

4893. Did you see what became of Parish?—He went along down the road a piece, and then came back again.

4894. Did he not get into the cab?—He got on to the box.

4895. And then came back again?—Yes.

4896. Did you see where he went to?—No, I did not.

4897. I believe you did not see what became of them afterwards?—No.

4898. Were you paid for your services?—Yes.

4899. By whom?—I was paid the first 10 *s.* by the committee at the "George Hotel."

4900. Who did you see there particularly?—It was Mr. Dickerman. I believe he was the man who paid the money.

4901. At the committee room?—Yes.

4902. Do you remember whether Captain Tom Learoyd was present at that time?—He was not at that time.

Cross-examined by Mr. *Hannen.*

4903. I understand you to say that you had a ticket given to you to act as a watcher?—Yes.

4904. You produced your ticket, and were paid?—I was paid that sum when I produced my ticket in the committee room.

4905. You went in with others, and received your pay?—Yes.

4906. That was all that occurred then?—Yes.

4907. You are not a voter, you say?—No.

4908. Was there a great deal of discussion about the people being carried away by the opposite side?—No; I never heard anything mentioned about it.

4909. I understand that you were employed as a watcher?—Yes.

4910. Was anything said originally more than this, that you were to be employed as a watcher?—No, nothing more.

4911. Was that all. Am I to understand that you have stated all that passed?—I have stated all that passed; all that I saw.

4912. Now, about this cabman that you have mentioned; is he here?—Yes, he is here.

4913. When

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4913. When you went originally to the "George Hotel," were there a great number of people there?—Yes, there were a great many people.

4914. I observe that you first of all stated, that you could not be sure that Captain Learoyd was there?—I cannot.

4915. And you cannot now?—I could not make out who was there.

4916. If I understood you rightly, it was only when my friend suggested the name, that you said that you believed that he was there?—I did believe he was there. I know him very well, but there was that many people there that I could not be sure.

4917. Now, as regards this about watching Tom Naylor, you say that something was said about it?—Yes.

4918. Can you swear positively that Tom Learoyd was there?—I cannot.

Re-examined by Mr. *Temple.*

4919. Who was it that gave you the card?—It was on Mr. Dickerman's account; he ordered me to have it.

4920. This was at the time that Parish and you went together?—Yes.

4921. I understood you to say that Captain Learoyd gave you the card?—Yes.

4922. You said that Captain Learoyd was the man that gave you the card?—They said it was his mark.

4923. Was it him, or not; I ask you this; who was the person who gave you the card?—Captain Learoyd's private mark was on the card.

4924. I ask you who was the person who gave you the card?—There was that many persons in, that I cannot swear who gave it me.

4925. Cannot you recollect whether Captain Learoyd was present at the time?—I cannot; there was that number of persons there.

4926. You say there was Captain Learoyd's private mark on the card?—Yes, there was.

Examined by the *Committee.*

4927. When Naylor got into the cab, did he make any difficulty?—No.

4928. There was no force used to induce him to get in?—He got in, and Woodhouse with him.

4929. Was he drunk?—No; he was getting a little sharpish on. He had been asleep at his own house all night.

4930. He got in with them to have a pleasant morning's ride together?—Yes, he got in; I did not hear anything more of him.

THOMAS NAYLOR, was called in; and, having been sworn, was Examined by Mr. *Temple,* as follows:

T. Naylor.

4931. YOU were a Voter at the last election?—Yes.

4932. Were you canvassed by both sides?—Yes.

4933. Did you pledge yourself to either party?—I told Hellawell, if I voted at all, I should vote for Leatham.

4934. Did George Woodhouse come and speak to you a little before the election?—Yes; many times.

4935. Did he ever have a particular conversation with you about going away?—Yes.

4936. Tell us what that conversation was?—He said we could have a trip off a day or two before the election; I said, "No, when I go off I can go off on my own expense."

4937. Did you say anything more than the words that it would be at your own expense?—I do not remember that I did on that occasion.

4938. Do you remember Wednesday morning; the nomination day?—Yes.

4939. Do you remember John Parish, George Woodhouse, and John Stanley coming into your house on the Wednesday morning?—They were in when I came down.

4940. What time of the day was that?—It would be about half-past six.

4941. Did they ask you to have anything?—Yes, they asked me to have a bottle of ale, and I said I did not drink it.

4942. Did they propose that you should go somewhere?—Yes; Woodhouse said, he knew that I did not drink ale, and that if I went on to the "Albion" I should have some whisky.

4943. Did you go to the "Albion"?—I was getting ready for my work; I was going out of the back door to my work, because I was working just above, and he came and took me by the shoulders, and said, "Come, let us have a glass, and thee will be in time."

4944. Did you go to the "Albion"?—Yes, we turned back, and went out of the front door on to the "Albion."

4945. Were Parish, and Stanley, and Woodhouse with you when you got to the "Albion"?—No, Woodhouse and me went together.

4946. Did Parish join you?—He came in a minute or two after we got there.

4947. Had you anything to drink there?—Yes.

4948. What had you to drink there?—We had two glasses of whisky.

4949. Had you had your breakfast then?—No.

4950. After you had drunk that whisky, or while you were drinking it, was anything proposed to you to do?—Yes, he wanted to know if I would have a ride off.

4951. Did you agree at once or not?—No, he called for some more whisky.

4952. You did not agree at first?—No.

4953. He called for more whisky?—Yes.

4954. Did you have any?—Yes; I "sucked" part of the second glass.

4955. Do you remember Stanley going out of the house?—Yes, they were in and out many a time.

4956. Do you remember Stanley having been out and coming back again?—He had been out; I don't know where he went to.

4957. Do you remember his coming back again; did he come back into the room where you were all of you?—No, Stanley did not.

4958. After you had sat for some time, did he again propose that you should have a ride out?—I went to the back yard.

4959. I believe you went to relieve yourself in the back yard?—Yes.

4960. And you there saw a cab?—Yes.

4961. When you were in the back yard for the purpose you have mentioned, did anybody join you there?—Yes, Woodhouse joined me.

4962. Did Parish join you?—Yes.

4963. Was anything proposed to you when the

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the cab was standing by?—Yes, Woodhouse asked me to get in and have a ride off.

4964. Did you get in and have a ride off?—Yes.

4965. Did Parish get in or outside the cab?—I did not see Parish again until I got opposite Parish's house.

4966. Then, when you got opposite Parish's house did the cab stop or go on?—It stopped, and Parish got into the inside.

4967. Then there would be in the cab you, Woodhouse, and Parish?—Yes.

4968. When Parish got in did he say anything to Woodhouse?—Yes, he said, "What money will you want"?

4969. Did he produce any money?—He put his hand into his pocket, and he pulled out some sovereigns; I cannot say how many, but perhaps seven or eight.

4970. What did Woodhouse say?—He put out his hand and took three or four, and he said he thought that would do.

4971. Did Parish then go on with you, or get out of the cab?—He went on to a place called "Warren House."

4972. What is that?—An old licensed house on a road side.

4973. Is it on the Manchester road?—Yes.

4974. How far is it from Huddersfield?—It may be a mile or a mile and a quarter.

4975. You say that Parish got out there?—Yes.

4976. Did you and Woodhouse get out there?—No, we had a glass of brandy in the cab.

4977. Who paid for it?—Woodhouse.

4978. After you had had the brandy in the cab, where did you drive to then?—To Slaithwaite.

4979. How far is Slaithwaite from Huddersfield?—Four miles.

4980. When you got to Slaithwaite did you pull up anywhere?—Yes, I believe the name of the house is the "Star."

4981. Did you get out of the cab there?—Yes.

4982. Did you go into the "Star"?—Yes.

4983. Had you anything to drink there?—Yes, some more brandy.

4984. How many glasses do you suppose?—Well, I don't know whether I had two or three; I fell asleep.

4985. Had you had anything to eat up to this time?—No, I had not, they sent for something in a plate, but I had not eaten anything.

4986. While you were there did you say anything to Woodhouse?—He said, we must go on to Stannage; I said, "No; if we go so far as that we will go on to Ashton, to my sister's."

4987. You said, that if you went so far you would go further, to Ashton, to see your sister?—Yes.

4988. By the *Committee.*] He proposed to go to some other place?—Yes, he proposed to stop at Stannage.

4989. Mr. *Temple.*] You say you fell asleep?—Yes.

4990. At this time, with all the brandy you had to drink with Woodhouse, were you sober?—I never recollect leaving the "Star" at all.

4991. You got into the cab, I don't know whether you were asleep in the cab?—Yes, I was asleep in the cab.

4992. When the cab first pulled up, where did you find yourself?—I don't know the name of the house; but it is the other side of Stannage from Huddersfield.

4993. Was it anywhere near Ashton?—I should think it would be five or six miles away.

4994. You say you pulled up at some place or other?—Yes.

4995. Had you anything more to drink before you got to Ashton?—No.

4996. Had you any beer?—No.

4997. Did you go to Ashton?—Yes, we got to Ashton.

4998. What time of day do you suppose it was?—I don't know what time of day it was; I should think three or four o'clock, I cannot say to an hour.

4999. When you got to Ashton, where did you go to?—I do not know the name of the house.

5000. When you got to Ashton, did you drive to a public-house; you say that you do not know the sign of it?—No, I do not know the sign of it; it was a public-house.

5001. What became of the horse and cab at that public-house?—I asked Woodhouse where it was, and he said it had put up for something to eat.

5002. Do you know whether that cab remained or was sent back?—I never saw it any more.

5003. At this public-house at which you had been driven up had you anything more to drink?—I had some brandy.

5004. Had you had anything to eat up to this time?—No, I had had nothing to eat.

5005. Your sister lives, I believe, at a station called the Charlston station?—Yes.

5006. That is at Ashton?—Yes.

5007. Did you then express a wish to go to your sister's?—Yes, I wanted to go there to see her.

5008. Did Mr. Woodhouse send for a cab?—He sent for a cab to drive me there.

5009. When you got into the cab, where did he represent he was going to?—To Charlston station.

5010. Did you arrive at Charlston station?—No, when the cab stopped I saw it was different from the Charlston station.

5011. When you went to see your sister, was that on the same day, or on the Wednesday?—On Wednesday, the nomination day.

5012. That you started together to see your sister?—Yes.

5013. When you found that you were not going as you thought to Charlston station did you make any observation?—Before the cab stopped I found that we were not going there.

5014. When the cab did stop, where did you find you where?—We were at Staley Bridge.

5015. By the *Committee.*] How far is Staley Bridge from there?—It is about a mile or a mile and a-half.

5016. Mr. *Temple.*] At Staley Bridge did you drive to a public-house or a private house?—He said he had a friend he wanted to see.

5017. Did he drive to that friend's house?—Yes, to a private house.

5018. What became of the cab when you got to the friend's house?—The cab returned back.

5019. And there you were without any cab at the friend's house?—Yes.

5020. Did you go from that friend's house to any beer-house?—Yes; Woodhouse said that his friend was the owner of a beer-house, and I went to the beer-house.

5021. How far off was the beer-house from the private house?—From 100 to 200 yards.

5022. When

5022. When you got to the beer-house, had you anything to drink there?—They sent out for some brandy.

5023. Did you drink some of it?—Yes.

5024. Who paid for that?—Woodhouse.

5025. Was there in the room in which you were a long settle?—Yes.

5026. What did you do on the long settle?—I laid me down and fell asleep.

5027. When you roused up did Woodhouse say anything to you about where you were to stay or go?—When I got up I just walked out of doors and set me down on the step. There was no person in the room when I woke, I sat me down on the step and I had been there a minute.

5028. Woodhouse in a few minutes came to you?—Yes.

5029. What did he say to you when he came?—He asked me where I was going, and I said I wanted to go to my sister's, he said it had got too late.

5030. What happened then?—We went back into this beer-house.

5031. How long did you stay at the beer-house?—We stayed all night.

5032. You slept at the beer-house?—Yes.

5033. Had you a bedfellow?—Yes, Woodhouse. He was in the bed at the time I woke.

5034. The first thing the next morning when you woke, in what condition were you?—I woke several times in the night; I was very badly; I vomited.

5035. Did you get any sleep after that?—No, I did not sleep much.

5036. About what time did you get up?—I cannot say; I should think about seven o'clock.

5037. Did you try to eat any breakfast?—Yes, we had some red herrings.

5038. Did they make you thirsty?—I did not eat much of it.

5039. Did you drink anything more?—We had some coffee with brandy in it.

5040. Did you express a wish to go anywhere?—I kept wanting to go back, and he said, there was a woman walking 1,000 miles in 1,000 hours.

5041. And did he propose that you should go and see that woman?—Yes.

5042. How far off did he say the woman was who was walking 1,000 miles in 1,000 hours?—Well, I cannot say the distance, a mile, I should say.

5043. How far did he say, a mile?—Yes.

5044. Did you go to the end of the mile?—Yes.

5045. What was the woman like?—I never saw her.

5046. Did you go back again after that?—No, we went and looked in at a skittle ground and bowling green.

5047. Was that connected with a public-house?—Yes.

5048. Did you have anything to drink there?—Woodhouse and me played with the landlord for glasses each.

5049. Who won?—Woodhouse and me lost.

5050. Who paid for the glasses each?—Woodhouse.

5051. Was that brandy?—Yes.

5052. About what time of the day would this bring you to, about 10 or 11 o'clock in the morning?—I dare say it would be between 10 or 11 o'clock.

5053. Did you keep pressing him to go to your sister's?—Yes, I wanted to go.

5054. Did Woodhouse send for a cab?—He sent for a cab.

5055. To go to Ashton?—To go to Ashton.

5056. Did you start to go to Ashton?—I got into the cab with that intention.

5057. Did you get into the cab expecting that you were going to your sister's?—Yes.

5058. Did he drive to the Charlston station?—I asked the cabman where he was going to take me.

5059. You did not hear what Woodhouse stated to the cabman?—No.

5060. You asked the cabman where you were going to?—Yes; and he said, "I will see thee all right."

5061. Did he drive off after having said that?—Yes.

5062. What station did he pull up at?—I think it was at Guy's Bridge.

5063. Was it Charlston station?—No.

5064. Is it far from there?—About three or four miles.

5065. When you got there, where did you want to go to; when you found you were three or four miles from Charlston?—I went to the booking office, and asked whether I could go to Huddersfield.

5066. Did you find when the next train was going to Huddersfield?—He said that I could not book until some time after two o'clock, and that I should have to go round by Penistone.

5067. Where did you stay?—I set off to walk to Ashton.

5068. Was Woodhouse with you?—Yes, he kept close after me.

5069. You say you walked; did you get to the Charlston station?—Yes. When we got near to Charlston station, he said, "Come let us have a glass and I have done."

5070. Did you express any wish then, or any intention as to where you wanted to go?—Yes; I told him that I wanted to go to Huddersfield.

5071. Did you mention the poll?—I did the night before.

5072. Did you have something more to drink?—We had a glass of brandy at this public-house, whatever it was.

5073. Did you ultimately get a ticket for Huddersfield?—When I got to my sister's I asked where her son was; her son is a servant at the station. She said he was in bed, that he was on the night shift at that time, and she went to fetch me a ticket.

5074. What time did the train start?—It was to start about 20 minutes past two, but I think it was close upon three o'clock when it started.

5075. Did you start by that train?—Yes.

5076. At what time did you arrive home in Huddersfield?—As near as I can recollect, it was about eight or nine minutes to four o'clock.

5077. Did Woodhouse accompany you; was he in the train?—Yes.

5078. Did he get out with you?—Yes.

5079. Had you any drink in the train?—No: he had some in his pocket, but I did not have any.

5080. You got to Huddersfield about eight or nine minutes to four o'clock?—Yes.

5081. How far was the station from the polling place?—It was close to it, if we had come through the booking office.

5082. Did Woodhouse take you through the booking office?—No; he said, "Look here; we can go through here," and we went another way.

5083. Did you arrive at the polling place?—No;

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No; as we were coming down he said he saw the state of the poll.

5084. Was the poll closed or not closed at that time?—I did not go to the poll.

5085. You say you saw the state of the poll?—No. Woodhouse said that he had seen it, and told me how many there was as a majority, and I said it was no use.

Cross-examined by Mr. *Hannen*.

5086. What was the majority?—I think it was 232.

5087. Did you say that it was of no use; that you might just as well go home?—Yes.

5088. Had you been canvassed on both sides?—Yes.

5089. Did you say that you had been a good deal bothered by both parties?—I have said so many times.

5090. Now, about these people that you have mentioned; was Woodhouse a neighbour of yours?—Yes.

5091. What is he?—A butcher.

5092. He is not a voter?—No, I believe not.

5093. His brother is one of the active Leathamite partisans, is he not?—Yes, I believe it is his brother; but I never knew it before this week.

5094. Had you said to him that you had been a great deal bothered by his side; had you said that to your friend Woodhouse?—I will not swear that I had said it to him or not.

5095. Did you say that you should like to go and see your sister on the day of the nomination?—Yes, when we were at Slackford.

5096. Before you started at all, did you not say it?—No.

5097. Are you sure of that?—Yes.

5098. Did you want to go and see your sisters?—Not in particular; I had no business there particular.

5099. Did you not say that you would like to go and see your sisters?—No, I did not say so before the polling day, as I am aware of.

5100. Is it your custom to take whiskey before breakfast and not beer?—I have not drunk beer for years; it does not do with me.

5101. Do you find whiskey does better?—It does better.

5102. You keep a beer-house, do you not?—I did then.

5103. You never drank your own beer?—No, I never did.

5104. Who was the brewer?—Mr. Joseph Cliff.

5105. Is he one of the Leathamites; you do not mean Joseph Cliff, the dead man?—No, he is alive.

5106. He is one of the Leathamite party?—Yes, I believe he is.

5107. He asked you to vote for Leatham?—Yes; he asked me to vote the night before the nomination day.

George Northrop, was called in; and, having been sworn, was Examined by Mr. *Temple*, as follows:

G. Northrop.

5108. Do you remember the day before the nomination day being sent with a cab to the "Albion"?—Yes.

5109. Who got into your cab?—At the commencement?

5110. At the "Albion"?—John Parish, Geo. Woodhouse, and Thomas Naylor.

5111. Did you drive away from the "Albion"?—Yes.

5112. Was it in the front of the house, or in the back yard that you drove; did you drive into the back yard, or to the front door?—It was in the back yard.

5113. Had you been told to drive into the back yard?—Yes.

5114. When you drove away, which way did you drive; where did you drive to first?—I went about two miles down Manchester-road.

5115. Did Parish, before you went down the Manchester-road, get out of the cab; did Parish remain in the cab when you drove down the Manchester-road?—Yes.

5116. He was in the cab then?—Yes.

5117. Do you remember Parish getting out of the cab?—He did not get out of the cab until we got about two miles.

5118. Had Parish got into the cab when you drove from the "Albion" yard, or was he outside the cab?—I will not swear positively whether I drove out of the yard before he got in, or not.

5119. Do you remember stopping at Parish's house; opposite his house?—No; I do not.

5120. Then you drove about two miles down the Manchester-road?—Yes.

5121. Where did you stop first?—At a place called "The Warreners."

5122. Was there anything to drink there; did you see whether Naylor had anything to drink there?—I believe he had a glass.

5123. From the "Warren Inn," where did you drive to then?—A place called Marsden.

5124. Was that the "New Inn"?—Yes; I believe it was.

5125. Did you stop there?—Yes.

5126. Where did you drive to from there?—We went ahead until we got the other side of a place called Stannage.

5127. Do you remember pulling up at the "Star Inn"?—At Slaithwaite?

5128. Yes?—I will not be sure; I know we stopped at the "New Inn."

5129. Where did you finally stop?—We stopped at the "New Inn," and at another place, the other side of Stannage.

5130. Did you get to Ashton?—Yes.

5131. Were you discharged at Ashton; did you return home from Ashton, or not?—Yes.

5132. You returned home from Ashton?—Yes.

5133. Who was the owner of your cab?—Sykes Mellor.

Cross-examined by Mr. *Hannen*.

5134. All these people got into the cab voluntarily, did they not?—Voluntarily.

5135. Of their own accord?—There was no forcing.

5136. They were out on a party of pleasure, were they not?—They set out with that intention, I believe.

5137. You first of all went to Warrenhouse?—Yes.

5138. How far off is that?—Two miles from Huddersfield.

5139. Did

5139. Did any of the party want to come back then?—Parish said that he should come back.

5140. Did he ask Naylor to come back too?—Well; I fancy he said something to Woodhouse, whether he was going backwards or forwards, and Woodhouse asked Naylor, and Naylor said he was going to his sister's at Ashton-under-Lyne.

5141. What did Parish do?—He left, and came home.

Re-examined by Mr. *Temple*.

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5142. Where were you when Naylor said he should like to go and see his sister at Ashton?—At Warrenhouse.

5143. Was Parish with you then; had he returned?—He returned.

5144. Had he returned before Naylor said he should like to go and see his sister?—He had gone then, and Mr. Woodhouse asked where he should go to, and Naylor said he should go to Ashton-under-Lyne.

SYKES MELLOR, was called in; and, having been sworn, was Examined by Mr. *Temple*, as follows:

S. Mellor.

5145. I AM going to ask you about the cab that Northrop drove on the nomination day. Just turn to the entry in your book. I believe the cab belonged to you?—Yes; what date would it be?

5146. Mr. *Temple*.] The 12th?—(*The witness referred to a book.*)

5147. By the *Committee*.] Were you the owner of the cab that Northrop drove on that day?—Yes.

5148. Mr. *Temple*.] Did you make an entry about that cab, in your book?—Yes.

5149. Did you show that entry to any person, in order that you might be paid for it?—We made a note of everything we had in the book.

5150. Whom did you give that note to?—I don't know who it was given to. It went on to the place where they were to be paid for. Mr. Learoyd came back with it.

5151. It went on to the place where it was to be paid?—Yes.

5152. Was that note which you gave a copy of, that which is in your book?—It was a copy of all of them together; it was a bill.

5153. You say Mr. Learoyd came back with it; what did Mr. Learoyd say to you?—Mr. Learoyd said that he wanted these all taken out, that he would not pay the bill with these in; he said they did not belong to him; they had never ordered them, and would not pay for them.

5154. Just look at that entry, and tell me what the entry is?—"George Woodhouse, Ashton, and back."

5155. He said they did not order it, and would not pay for it?—Certainly.

5156. Did you make any alteration?—We took them all out, and made a fresh bill.

5157. Did you make the same charge?—No.

5158. Were you paid that amount?—No, we were not.

5159. This was after the election?—Yes; this was after the election.

5160. Were you paid anything for that particular item?—Never; and never could get anything.

5161. What was Learoyd's first request to you; what did he first ask you?—To make out a fresh bill; that he would not pay it.

5162. Did he tell you what that bill was to be?—No.

5163. Did he tell you whether you were to insert or strike out anything?—He said that there were these items, that were marked; he said, "We will not pay them, because we have never ordered them"; that is what he said to me.

5164. Which was those which he refused to pay?—There was another bill that was made besides this here. The bill that we made out first went in, and Learoyd brought it back, and then it was destroyed. If I had the other bill here I could tell what it was.

5165. Were there a number of cabs hired for the purpose of "chairing"?—Yes, there were.

5166. Were those cabs ever employed for chairing?—They never were.

5167. Were you paid for them?—No.

5168. They would not pay for them?—No.

5169. They were not ordered?—They never ordered them by me. I will tell you how it was. Our men, who were in the yard, said there would be a chairing job. I said, "Well, there will be nothing to do to-day, and you may as well stop in; and if they are wanted, you will be ready."

5170. Were they not charged for?—The account was sent in to Crosland. We said, we will try him with it, at all events; but he docked them out of the bill. There is 6 *l.* struck out.

5171. How long after the election was it that you sent in your bill?—I do not know. If you have the bill, it will be settled, and the date is on it.

5172. About what time was it that you sent this bill in after the election?—I daresay it would be the 9th of September when we got paid. I think that is the date we have it down on which we got the money. I have nothing else to go by but this.

Cross-examined by Mr. *Hannen*.

5173. Was the objection that you have spoken of made when you got the money?—Yes, when we got the money. It would be the day before, or two days before. I will not swear when this was done. The first bill was done, it may be, a day or two before; I cannot say which.

JOHN TILLOTSON, was called in; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*, as follows:

J. Tillotson.

5174. YOU are a Spinner?—Yes.

5175. I believe you have been served with a Speaker's warrant to attend here, have you not?—Yes.

5176. Were you engaged at the last election on the part of Colonel Crosland's committee?—Well, I can't say that I engaged myself.

5177. I did not say that you did; by whom were you engaged, and what for?—To help to support him.

5178. Who

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5178. Who did you apply to?—I did not apply to any one exactly.

5179. Exactly. I suppose you were paid?—Paid?

5180. Were you paid for your services?—What for; for supporting Colonel Crosland, do you mean?

5181. Yes?—I don't know exactly that I was paid for my services.

5182. Were you paid?—Well, I had a pound or two given to me.

5183. A pound or two; is that all you had?—(*No answer.*)

5184. Is that all you had?—(*No answer.*)

5185. How much have you had altogether?—I really could not tell.

5186. You must tell us, and you may as well speak the truth; what have you had?—(*No answer.*)

The *Chairman.*] If you do not give your evidence at once, you shall be committed. Answer the question that is put to you.

The *Witness.*] He asks me how much I got altogether.

5187. By the *Committee.*] How much did you get altogether?—As near as I could tell, perhaps about 10 *l.*

5188. From whom did you get it?—Joe Brook Richardson.

5189. Mr. Serjeant *Tindal Atkinson.*] Where was he when he gave it to you?—Well, he was at one place at one time, and at another place another time. I did not get it all at once.

5190. Just remember where you are. You are now before Members of the House of Commons, and you must answer the question that is put to you. I will take one place at the time; where did you get anything from Joe Brook Richardson in the first instance?—The "Crown Tavern."

5191. Where is that?—At Huddersfield.

5192. Who was present when you got it?—No one but him and me.

5193. What were you to do with it?—He did not say what I was to do with it; he only gave it to me.

5194. Do you mean to say that, "He did not order me anywhere, what to do with it"?—(*No answer.*)

5195. He did not give you money for nothing, did he?—(*No answer.*)

5196. Will you remember where you are, sir?—(*No answer.*)

5197. What were you to do with it?—(*No answer.*)

5198. The *Chairman.*] Will you answer the question?—(*No answer.*)

The *Chairman.*] You will have to answer it, and do not keep us waiting.

5199. Mr. Serjeant *Tindal Atkinson.*] Why don't you answer?—We were knocking about, two or three of us, and of course he gave it to us to spend amongst us.

5200. To spend amongst whom?—Me and two or three more.

5201. Was it to be spent among voters?—No; non-voters.

5202. What were the non-voters to do?—To watch the opposite party.

5203. How much did you get on that occasion?—I have told you before; about 10 *l.* altogether.

5204. That is not what I mean; how much did you get on this occasion?—This was for that.

5205. Was that all you got?—£. 10. was as near as I can tell.

5206. During the whole election?—Yes.

5207. You swear that?—I cannot recollect any more.

5208. Cannot you; will you swear that you did not have more?—(*No answer.*)

5209. Will you swear that you have not had 20 *l.*?—(*No answer.*)

5210. Surely you can answer that question; will you take upon yourself to swear that you have not had more than 20 *l.*?—(*No answer.*)

5211. *Chairman.*] Will you answer the question?—What was the question?

(*The shorthand writer was requested to read the question to witness.*)

Witness. No.

5212. Mr. Serjeant *Tindal Atkinson.*] You have not had more than 20 *l.*; is that what you mean to say?—I said that I had not more than 10 *l.*, as near as I can recollect.

5213. Will you swear that you have not had 20 *l.*?—Yes.

5214. Was it not more than 10 *l.*?—I cannot say exactly, you know, because I did not take notice.

5215. Did you not get 17 *l.* at one time?—No.

5216. What was this Brook Richardson?—He was a non-voter, the same as myself.

5217. Did he give other people money besides you in your presence?—I never saw him.

5218. How long was it before the election that you got this money to watch the opposite party?—I could not speak to a day.

5219. Was it a month or five weeks?—No, it would be about three weeks.

5220. Three weeks before the election?—Yes.

5221. Do you know Joseph Armitage?—Yes.

5222. Was he employed with you?—Partly.

5223. Was that to get up non-electors' committees?—Yes.

5224. You know the "Fleece Inn" and the "Butchers' Arms," do not you?—Yes.

5225. Were you to get up any electors' committees at those two houses?—We had meetings there, you know.

5226. What were you to do?—To watch the opposition lot.

5227. How much were you to be paid a-week?—(*No answer.*)

5228. You may as well tell us?—To be paid a-week?

5229. Or by a day, I don't care which; how much were you to be paid?—I should get perhaps, 5 *s.* for a day.

5230. Richardson engaged you to do this; do you not say so?—Yes, Richardson and me engaged between ourselves.

5231. Was he called the "Man in the Moon"?—I never heard such a word as that, that is the first time I have heard of it.

5232. What was he called?—Joe Brook Richardson.

5233. Never anything else?—I never heard him called anything else.

5234. Did you keep a list of the members of these committees?—No.

5235. Did anyone?—I don't know that.

5236. Did you ever see any writing at all of any kind, at those committee rooms?—No.

5237. No notes, or anything?—No.

5238. Did you know of more than one of those committee rooms?—We had one at a house.

5239. How many committee rooms for those non-electors

non-electors had you?—We met at two different houses. We did not call them exactly the committee rooms; we called them meetings.

5240. Were there only two houses where they were engaged?—Two houses.

5241. Do you know Thomas Hurst, a tobacconist?—Yes.

5242. And John Walker?—Yes.

5243. Did they act as your chairmen?—No.

5244. What were they doing; were they at all engaged on the election?—We had nothing to do with Thomas Hurst.

5245. Did you never see him?—I have seen him many a time.

5246. In those rooms?—No, not when we were in.

5247. Then they did not act as foremen or chairmen at your meetings?—No.

5248. Did you drink at those houses; had you any drink?—Well they would have begun to look at us if we had not a sup; of course we had drink.

5249. I suppose all the men there had something to drink?—I will not swear that; I don't think all had.

5250. Some of them might be tee-totallers?—Yes.

5251. Most of them, I suppose, did drink?—I did not pay particular notice.

5252. Those two houses at which you met, are they in one district?—Yes.

5253. Did you pay for your drink?—Yes.

5254. How many yards off is the one house from the other; not more than 100 yards apart, are they?—I think 150 would set it.

5255. What necessity was there for two houses?—Some customers go to one place and some to the other.

5256. Did you know that the occupiers of both houses were both voters?—Yes.

5257. A few days before the election did you see Hurst at the "Ramsden Arms"?—No.

5258. Or near there?—I did not see him at all during the election week.

5259. Do you know Samuel Brook, of Brecon Hill?—Yes.

5260. Do you know Joseph Smith, a sexton?—Yes.

5261. Is Brook a voter?—Yes.

5262. Is Smith a voter?—Yes.

5263. Do you know Samuel France?—Yes.

5264. George Longbottom?—Yes.

5265. Did they attend the non-electors' committee rooms at the "Fleece"?—No.

5266. Never saw them there?—Never.

5267. You say that, do you?—Yes.

5268. Never saw them there drinking?—(*No answer.*)

5269. Did you never see them drinking there or at the "Butchers' Arms"—I never saw them that election week.

5270. Did you see them before the election week?—There is very seldom anybody who gets drink except at that time.

5271. Did you see them before the election week?—I will not swear that.

5272. You will not swear?—I cannot recollect seeing them drinking at all.

5273. Did you see Thomas Hurst or John Walker with them?—No.

5274. After you had seen Brook Richardson, and he gave you this money, did you go again to him for money?—No. I never went to him for any money until the election was over.

5275. When the election was over, did you go to him?—I went to him, and told him I was a pound or two out of pocket of my own.

5276. How much?—Two or three pounds.

5277. Did Brook Richardson give it to you?—Yes.

5278. How much did he give you?—£. 3.

5279. Ten pounds at first and 3 *l.* afterwards, what did you mean by telling the Committee that you had only had 10 *l.*?—I had not, before the election.

5280. I asked you how much altogether?—I did not know that you meant altogether.

5281. Did you get your wages besides; did not Richardson pay you?—Yes.

5282. How much did he pay you besides?—I fancy it was somewhere about 3 *l.* for wages.

5283. You were to get 5 *s.* a day, you know; did you get about 4 *l.* out of 7 *l.* three weeks or a month before the election, at the "Crown"; do you remember that as a fact?—I cannot recollect any such thing.

5284. Did Richardson pay Armitage some money in your presence?—I don't know; I never saw it.

5285. Did you see Armitage and Abner Hill get any money from him; 17 *l.*?—No.

5286. At the "Woodman Inn"?—No, I never saw Richardson at the "Woodman."

5287. Did not Richardson meet you and Armitage behind the shambles?—I would not swear that; I don't know that he did.

5288. You know where the shambles are?—Yes, but I can never recollect being behind the shambles during that time.

5289. At what time?—At the election.

5290. Did you see him afterwards?—Behind the shambles.

5291. Yes?—No, I never saw him behind the shambles.

5292. Or anywhere else afterwards?—Yes, I saw him a week or two afterwards.

5293. Was any money paid?—Not then.

5294. Did you go to Meltham at any time?—Yes.

5295. Did you see Richardson there?—No.

5296. Was it arranged between you and Richardson, Hurst, and Armitage, that Smith, the sexton, was to go to New Miller Dam; before you answer, just reflect for a moment?—It was not arranged between us lot; Armitage and him arranged that themselves. Smith was the man that had to go, and as I went in like, I saw what a predicament he was in; and I said I should be very glad to accompany him.

5297–8. Smith was a voter?—Yes.

5299. What predicament was he in?—At their house, in his own family, there were two parties of them; one-half of the family were for Mr. Leatham, and the other half for Colonel Crosland; those that were for Mr. Leatham said they would take him away; so he got out of the way himself.

5300. By the *Committee.*] You say one-half of his family were for Mr. Leatham, and the other half for Colonel Crosland?—Yes.

5301. How many had he in family?—Three lads, and I believe three lasses.

5302. Who were the lads for, and who were the lasses for?—The eldest lad and two lasses were for Colonel Crosland.

5303. Mr. Serjeant *T. Atkinson.*] And the younger and simpler, I suppose, were for the other

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other party?—No, I believe there were two older.

5304. Do you know John Brook and Job Brook?—Yes.

5305. Are they farmers at Bradley?—Yes.

5306. Was it not arranged between Richardson, Hirst, Armitage, and you, that John and Job Brook should go to New Miller Dam?—No.

5307. Were you present when any arrangement was made to that effect?—No.

5308. Did you know they went?—I never knew they did go till I saw them there.

5309. What made you go there?—Because I accompanied Smith there, but not them; I never knew anything about them.

5310. By the *Committee.*] It had been arranged they should go, but you were not present at the arrangement?—No, I knew nothing of it.

5311. You say you saw them there?—Yes.

5312. Mr. Serjeant *T. Atkinson.*] Did you not yourself tell Smith, the sexton, that you would take him out of the way?—No, I did not.

5313. Just think for a moment; did you not tell him that you would take him out of the way; you say he was in a predicament; did you not tell him, in order to relieve him from his predicament, that you would take him out of the way?—He wanted to go, and I said I would accompany him.

5314. How did he go?—We went together.

5315. In a cab, or by the railway, or what?—Railway.

5316. Who paid for it?—We each paid a share.

5317. Do you swear that?—Yes.

5318. Did Smith pay himself?—He paid himself, and I paid.

5319. Did you give him any money to do it?—No.

5320. By the *Committee.*] Did you see him pay?—Smith?

5321. Yes?—I went for my ticket, and he went for his ticket. I never looked at him.

5322. Mr. Serjeant *T. Atkinson.*] Did you pay him afterwards?—No.

5323. Did you see him paid?—No.

5324. By the *Committee.*] Do you know that he was paid?—I never axed him.

5325. Do you know whether he was paid or not?—No, I do not.

5326. Mr. Serjeant *T. Atkinson.*] I advise you to be cautious; just think, because you may forget a fact of this kind; did not you take the two tickets, and pay for them for Smith and you to travel to Wakefield; just be careful?—Smith paid for his own ticket and I paid for mine.

5327. Did you; yes or no?—No.

5328. When you got to Wakefield, did you get into a cab?—Yes, we did.

5329. How far is New Miller Dam from Wakefield?—About three miles, as near as I can tell.

5330. Who paid for the cab?—Me.

5331. How much?—I am sure I cannot tell exactly, perhaps 2 *s.* 6 *d.*

5332. Out of the money you had previously received from Richardson?—It was out of my money, I believe.

5333. Had you spent the 10 *l.* which Richardson had given you?—Yes, I believe I had.

5334. In what?—I did not take particular notice.

5335. Did you charge that money to Richardson for the cab at Wakefield afterwards; was that in the 3 *l.* you got?—Yes.

5336. You went to the "Dam Inn," did you not?—Yes.

5337. How long did you stay there?—A day.

5338. All night?—Yes.

5339. Were you not there two nights?—Yes; we were there two nights and a day.

5340. You saw John and Joe Brook?—Yes.

5341. Were they in your company?—They were in my company some of the time.

5342. Had you charge of them?—No.

5343. Who had?—They had charge of themselves while I was there.

5344. Who paid for them?—I don't know; they paid for themselves for what I know.

5345. You did not pay?—No.

5346. Did you order the landlord of the "Dam Inn" to provide you and Smith with something to eat and drink?—I do not know whether me or Smith ordered it. I will not swear which.

5347. Did you pay for it?—I paid for mine; and, for aught I know, Smith paid for his.

5348. Did you not pay for what the landlord supplied?—Yes, for myself.

5349. Did you not pay for Smith?—Not there.

5350. Not where?—Not at Miller Dam.

5351. Where did you pay for it then?—I did not pay for him anywhere that journey.

5352. Did you go another journey with him?—I paid for nothing for Smith, only the cab up there.

5353. Did you see James Brook bring up the two men, Job and Joe?—No.

5354. In what state was Smith before he went to bed; was he drunk?—I did not see him.

5355. What?—Do you mean at the "Dam"?

5356. Yes?—No, he was not drunk; he was sober.

5357. Was he fresh?—No, he was not fresh.

5358. What made you pay for the cab, if you did not pay for anything else at the "Dam" for him?—Because I did not think it right for us both to pay for that.

5359. The next morning, after you had stayed there all night, did you have breakfast?—No.

5360. No breakfast?—No.

5361. Did you go away after breakfast?—Yes, and we came to Wakefield station.

5362. Did you not go to Sir Lionel Pilkington's grounds?—Not that morning; we came away by six o'clock.

5363. Did you go to Sir Lionel Pilkington's grounds at any time?—The day before.

5364. Did you keep Smith company all that time; all round the Park?—No, not all the time.

5365. Do you remember the Thursday morning, the polling day?—Yes.

5366. Did you get up about four o'clock in the morning?—It would be about five I dare say.

5367. Did you and Smith drive to the Wakefield Railway-station in a cab belonging to the landlord of the "Dam"?—Yes.

5368. By the *Committee.*] Did you drive with Smith to the railway station that morning?—Yes.

5369. Mr. Serjeant *T. Atkinson.*] Did you take the railway tickets to Bradley?—Each paid for his own at the station.

5370. Do you say you did not take the railway tickets; be careful how you answer; do you swear you did not pay for the railway tickets to Bradley for you and Smith?—Yes.

5371. You

5371. You did pay?—For the railway tickets.

5372. What made you tell me just now that each paid for himself?—I did not understand what you were saying.

5373. What time in the day was this?—By the first train.

5374. When you and Smith came to Bradley, did you go to the "Woodman Inn"?—Yes.

5375. Was not that where the Bradley voters were to go from, who intended voting for the Colonel?—I did not go in.

5376. Was not that the inn the voters for Colonel Crosland were to go from to vote?—For anything that I know; I did not see any of them, only Smith.

5377. Did you get anything to drink at the "Woodman Inn" with Smith?—No.

5378. Did you see John Brook and Joe Brook there?—No.

5379. Did not you come together?—No.

5380. Did you acquaint Brook Richardson with what you had done—that you had gone to Wakefield and back?—I acquainted him after the election was over.

5381. What did you say to him?—I can hardly tell you now, I am sure.

5382. Did you tell him you had taken Smith to Wakefield; did you get your expenses from him for taking the man to Wakefield and back?—(*No answer.*)

5383. Did you tell Mr. Richardson that you had taken Smith to Wakefield and brought him back, and did you claim your expenses from him?—I claimed what I had laid down myself.

5384. For taking Smith to Wakefield and back?—Smith paid his own fare there and back.

5385. You have told me you saw Richardson after the election; did you get from Brook Richardson such costs as you paid for taking the man to Wakefield and back?—I got nothing from him only that 3 *l.*

5386. Did that include the expense of taking Smith to Wakefield and back?—For anything that I know, it did.

5387. By the *Committee.*] Tell the truth at once; did you get it, or did you not, from Richardson?—This three pounds I said before, I got.

5388. Did you pay for it out of that three pounds?—Yes.

5389. Mr. Serjeant *T. Atkinson.*] You told me in the course of the inquiry that you went to Meltham; where did you go to at Meltham?—To a public-house.

5390. Do you know Mr. Charles Brook?—Yes.

5391. Mr. Charles Brook was Colonel Crosland's chairman, was he not?—I do not know that.

5392. Did you go to him at Meltham?—No.

5393. Did you see him there?—No.

5394. Do you swear that?—Yes.

5395. Did you see him on your way home?—Yes.

5396. Did you speak to him?—No.

5397. Did he merely pass you?—I would never have known it was him; I did not know him till that day.

5398. Did you speak to him on that day?—No, I never spoke to him in my life.

5399. Who was with him on the road?—Me and Joe Cliff.

5400. What was Joe Cliff doing with you?—Doing nothing that day; he was doing some work, as I understood him, for Mr. Brook, at Meltham Mill.

5401. Where did he come from with you?—I jumped on him on the road, accidentally.

5402. Where?—Coming from Meltham; he had been up to Brook's works; he had been the other way.

5403. What made him walk with you?—Because we were both coming the road together.

5404. Was it about election matters that you were talking?—I do not know that we were talking about election matters at all, then.

5405. When you met Mr. Charles Brook, were you talking about election matters?—No.

5406. Did he point out Mr. Charles Brook to you?—No.

5407. You did not know him?—Charles Brook asked Cliff to get in with him.

5407*. You did not get in, did you?—Yes.

5408. Into Mr. Charles Brook's carriage?—Yes.

5409. You are not accustomed to get into gentlemen's carriages, are you; that was rather a singular thing; where did you go?—Came to Huddersfield.

5410. And you came with Charles Brook and Joe Cliff?—Part of the way.

5411. Did you tell them what you had been doing?—I never spoke to them.

5412. Not in the carriage?—It was not exactly a carriage; it was a kind of dog-cart.

5413. You never said a word about what you had been doing?—I never spoke to them, nor they to me.

5414. Where did they put you down?—In New-street.

5415. Where?—In Huddersfield.

5416. At one of the committee-houses?—No; I never knew where there was one.

5417. Were you ever in the "George"?—No.

5418. Why did not you go to the "George"?—I had nothing to do with it.

5419. Did you keep away?—Yes.

Cross-examined by Mr. *Hannen.*

5420. I think your expression was, that you "jumped" on Cliff; that you met with him accidentally?—To be sure I did.

5421. Who was Cliff?—He had been about some work he was doing; I think he was putting a gasometer up, or something of that sort, for Charles Brook.

5422. Did I understand you to say that Mr. Brook overtook you?—Yes; in passing he saw Cliff, and he axed him to get in; and when he saw we were together, he axed me to jump in.

5423. He gave you a lift?—Yes.

5424. Did you sit behind, with the servant?—The servant was driving; the servant and master were in front, and Cliff and me behind.

5425. And you did not exchange a word with him?—No.

5426. And never have in your life?—I never spoke a word to Mr. Brook in my life.

5427. Now, go back to the other transaction: in the first place, who was Brook Richardson; he is dead, is he not?—Yes.

5428. What was he?—I cannot tell you what he was; he was a non-elector, the same as myself.

5429. Was he a betting man?—I do not know whether he was or not.

5430. Was he a friend of yours?—Yes.

5431. Were

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5431. Were there meetings of non-electors on the other side?—

Mr. Serjeant *T. Atkinson* objected to the question.

Mr. *Hannen* was heard against the objection.

The *Committee* allowed the objection.

5432. Mr. *Hannen.*] From whatever motive it was, were there a great many meetings of non-electors on your side?—There were not so very many meetings.

5433. How many were there?—I cannot exactly tell you how many there were; I did not take that notice.

5434. With regard to Smith, did Smith go on this expedition that you have told us of, of his own accord?—Yes.

5435. Were you a friend of his?—Yes.

5436. Did you offer to go with him?—Yes.

5437. As a friend?—Yes.

5438. Did you interfere with him in any way whatever?—No.

5439. Did the suggestion come from him first to go on that journey?—Yes.

5440. With regard to the money you have had, have you kept any account of the money you have had?—No.

5441. Some sums have been mentioned to you; how did you know that it was 10*l.*; have you any memorandum, or anything of the kind?—Nothing of the kind; nothing, only to guess.

5442. Before you started with Smith, did you know for whom he was going to vote?—Yes.

5443. For whom?—Colonel Crosland.

5444. Had he said so?—To be sure he said so.

5445. Was that the case with Brook also?—Yes.

Re-examined by Mr. Serjeant *T. Atkinson.*

5446. My friend asked you whether you kept accounts; have you been served with a summons to bring your books with you; have you any books in which you kept accounts of these moneys?—No.

5447. Did you keep any list or paper of any kind?—No.

5448. Not anything?—No.

5449. Then how could you account for how you spent the money?—It is guess, as I told you before, as near as I can.

5450. Do you remember giving 2*l.* to Edwin Taylor?—I let Edwin Taylor have 2*l.*; I lent it him; I did not give it him; I expected to have it back.

5451. Have you ever asked him for it?—Yes.

5452. When?—Since the election.

5453. When?—It would, perhaps, be the week after the election.

5454. Where?—At Dawson's.

5455. You never county-courted him for it?—Oh no.

Examined by the *Committee.*

5456. Did it form part of the 10*l.* you got?—Yes.

5457. And you expect to get it back?—Yes.

5458. You will give that back to Mr. Richardson?—Mr. Richardson is dead.

5459. How often did these non-electors meetings take place; every night?—No, not every night.

5460. How often did they take place?—Perhaps twice in a week.

5461. How many weeks before the election did they go on?—Perhaps a fortnight.

5462. Then they met twice a week for a fortnight; that is, four times. Did you only meet four times?—I do not know exactly. I did not think anything about these things

5463. Tell me what took place at these meetings?—They used to sing and speechify a bit.

5464. Did you sing, or did you speechify?—No, I did not.

5465. Was there a chairman appointed?—Yes.

5466. How long did these meetings last?—Two or three hours.

5467. Did they take place in the evening?—Yes.

5468. Had you anything to drink at these meetings?—Yes; we used to call for a glass, the same as at any other meeting.

5469. Did you pay for your own drink, generally?—Yes.

5470. Each person paid for his own drink?—Yes.

5471. No record was kept of the proceedings in a book?—No; I never saw any books.

JOSEPH SMITH was called in; and, having been sworn, was Examined by Mr. Serjeant *T. Atkinson.*

J. Smith.

5472. You are the sexton at Sheepridge?—Yes.

5473. And you were a voter at the last election?—Yes.

5474. Do you know John Tillotson?—Yes.

5475. Have you known him long?—A good while.

5476. Did you know of any meetings being held in Sheepridge before the election of Colonel Crosland's friends?—Any meeting?

5477. At night?—Not particularly.

5478. Did you ever go to any of them?—I have been.

5479. At how many?—I do not exactly know how many.

5480. Tell us within a dozen or two; have you been to a dozen?—I might.

5481. Was that at Sheepridge?—Yes.

5482. Did you see Tillotson there when you went?—I very seldom did see Tillotson.

5483. Did you ever see him there?—Well, I might have seen him.

5484. What did you do when you went; did you see any other voters there?—Of course; they were chiefly voters when I went.

5485. What did you do there; was it speechifying or what?—It was only just arguing.

5486. Was there any singing?—Singing?

5487. Yes?—I do not understand singing; I never heard none at those meetings.

5488. No singing at the meetings?—No.

5489. It was arguing, was it?—Yes.

5490. Who were the speechifiers generally?—I never took that notice.

5491. Did your family interfere with your vote at all?—Part of them did.

5492. You recollect going to the New Mill Dam, do you not, at Wakefield?—Oh yes.

5493. You were sexton?—Yes.

5494. How did it happen you went there?—It happened that I did go.

5495. Did anybody go with you?—Yes,

5496. Who?

5496. Who?—John Tillotson.

5497. At whose suggestion did you go?—I went partly by my own.

5498. And partly by whose?—Well, I agreed to go out of the way.

5499. Who did you agree with?—I agreed to go; I was afraid of being taken away.

5500. Who did you agree to go with?—I agreed to go with Tillotson.

5501. Do you know Thomas Hirst?—Yes.

5502. Was he chairman at some of those meetings you were at?—No, I never saw him chairman.

5503. Did you see him there?—No, I never saw him there.

5504. Did you agree with Thomas Hirst at all to go?—No, I never agreed with him.

5505. The nomination day was Wednesday, was it not?—I believe it was.

5506. When did you go to New Mill Dam?—On the Tuesday before.

5507. Which way did you go, by rail?—Yes.

5508. Who paid for the tickets?—I do not know that; I did not pay for mine.

5509. Do not you know who did; you were with Tillotson at that time?—Yes; I paid for my ticket to go with.

5510. Do you say that?—Yes.

5511. You are sure of that?—Yes.

5512. Did you go from Bradley station?—I went from Huddersfield station.

5513. When you got to Wakefield, what did you do; did you get into a cab?—Of course we did.

5514. Was Tillotson with you?—Yes, he was.

5515. Did you pay for the cab?—Well, I had not any money to pay with.

5516. Had you spent all your money on the railway ticket then?—Yes.

5517. How much had you spent for the railway ticket?—About fifteen pence.

5518. Did you get any money while you were at Wakefield?—No.

5519. How long were you there?—Two days.

5520. Did you return on the polling day?—Yes.

5521. Then you were two nights?—Yes.

5522. Did you have your meat and drink?—Yes, I got some.

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5523. Did you have some spirits, and so on?—I do not think we had any spirits.

5524. Had you not any ale, or anything of that sort?—Yes, something to drink.

5525. You did not pay for it, of course?—No.

5526. Did you see John Brook and Joe Brook there, while you were there?—Yes, I saw them.

5527. They are two voters?—Yes.

5528. When did they come to the "Dam"?—They came the morning after.

5529. Do you recollect who came with them?—James Brook, I think.

5530. Is he a relation of theirs?—Yes, I believe he is.

5531. Have you seen Brook at any of these non-electors' meetings?—No.

5532. Have you seen the other two Brooks there?—No, I never saw them there.

5533. You were brought back, and, I believe, you voted?—Yes.

5534. Where did you vote from; the "Woodman's Inn"?—Yes.

5535. Had you anything to drink at the "Woodman's Inn," before you voted?—No.

5536. Nothing at all?—No.

5537. Are you quite sure?—Yes.

5538. I suppose after you paid for your first railway ticket, you paid for nothing when you came back to Huddersfield?—No.

Cross-examined by Mr. *Hannen.*

5539. Had you always intended to vote for Colonel Crosland?—Yes.

5540. Had you always said so?—I signed for him to come.

5541. And always voted on the same side?—On the same side.

5542. Were you afraid of being worried by the other people?—One half of my family were for Mr. Crosland, and the other for Mr. Leatham.

5543. And they bothered you?—Yes.

Examined by the *Committee.*

5544. Are your sons voters?—No.

5545. You signed for Colonel Crosland, and fulfilled your promise by voting for him?—Yes.

Joseph Armitage was called in; and, having been sworn, was Examined by Mr. Serjeant *T. Atkinson,* as follows:

5546. You are here under the Speaker's warrant, I believe?—Yes.

5547. About five weeks before the last election, were you applied to by Mr. Thomas Hirst?—No.

5548. Did you see him?—No.

5549. Did you interfere at all in the election?—Yes.

5550. How?—I was engaged by Joe Brook Richardson, but not five weeks before the election.

5551. By the *Committee.*] How long before?—About three weeks.

5552. Mr. Serjeant *T. Atkinson.*] Who sent you to him?—William Hirst.

5553. Where did you find Richardson?—I believe it was at John Haigh's.

5554. That is the "Crown Hotel," is it?—Yes; I believe it is.

J. Armitage.

5555. Did you go to the "Butchers' Arms" and the "Fleece"?—Yes.

5556. What was the object of going there, what was doing there?—Just to get a few men to see that nobody did anything wrong during the election.

5557. Those were Richardson's instructions, were they?—Yes.

5558. Did you get any money?—Yes.

5559. How much?—Well, I was engaged at 30*s.* a week.

5560. Did you get your expenses?—Yes; I got 2*l.* at the finish of the election.

5561. Were you present when Tillotson got any money?—I have seen him draw some.

5562. How much?—I don't know how much.

5563. How much did he receive at a time?—I never saw him draw any; I cannot speak to the quantity.

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5564. You said you saw him draw?—I don't know what quantity.

5565. By the *Committee.*] You do not know how much?—No.

5566. Mr. Serjeant *T. Atkinson.*] Where did you see Hirst when you got these instructions?—At Huddersfield.

5567. Where?—In the street.

5568. Was it not at the "George"?—No.

5569. Did you never see him at the "George"?—I saw him in the "George" back yard.

5570. When?—About three weeks before the election.

5571. By the *Committee.*] What yard was he standing in?—At the back of the "George Hotel."

5572. Mr. Serjeant *T. Atkinson.*] Did you engage these rooms at Sheepridge?—Tillotson and I did together.

5573. What were they engaged for?—For us to sit at nights.

5574. What did you do there?—Got some beer if we had a mind to.

5575. Who paid for the beer?—We paid for it ourselves.

5576. Are you sure of that?—Yes.

5577. Did everybody pay for the beer they drank there?—Yes, for anything I know; I never paid for any for them.

5578. By the *Committee.*] Did you pay for yourself?—I paid for myself.

5579. Did anybody repay you what you had paid?—No.

5580. Nobody?—No.

5581. Mr. Serjeant *T. Atkinson.*] When Brook Richardson engaged you, what did he say to you?—He said I had just to look after a few lads at Sheepridge, to see about the election of Colonel Crosland; to see that nobody did anything wrong to his electors.

5582. Had you any instructions about any doubtful voters?—No.

5583. Did you ever see Mr. Thomas Hirst at any of those meetings?—Yes.

5584. What did he do there?—He got a glass of beer.

5585. Was he chairman sometimes?—I never saw him chairman.

5586. Had you a chairman?—Among ourselves; it was a kind of raillery.

5587. Do you say that all you received was 2*l.* besides your wages?—Yes; except the watching nights.

5588. What did you receive then?—Ten shillings a night.

5589. Were there many of you who received that?—I don't know; I received mine from Richardson.

5590. Do you recollect anything like 7*l.* being paid to yourself and Tillotson?—No.

5591. Did you look after Joseph Smith, and see that nothing was wrong?—Yes.

5592. Had he promised to vote for Colonel Crosland?—Yes.

5593. Did you, about six o'clock on the Monday night before the election, get him to come down to Huddersfield?—He axed me if I could get him to come down.

5594. There was nothing to prevent him, was there?—His son was very angry with him; he wanted him to vote for Mr. Leatham, and he wanted to vote for Colonel Crosland; he had pledged for Colonel Crosland, and he said he would vote for him.

5595. Did you take him to the "Crown"?—Yes.

5596. Had he anything to drink there?—Yes.

5597. What?—A glass of ale.

5598. Did you have anything in the bar?—It was in the bar.

5599. Did you pay for it?—I paid for my own, and he paid for his.

5600. Are you sure of that?—I am quite sure of that.

5601. By the *Committee.*] Where was this?—At the "Crown Hotel."

5602. Mr. Serjeant *T. Atkinson.*] Had you not some wine at the bar?—He got a glass of wine.

5603. And he paid for that too?—I did not see him pay for it; I don't know whether he paid for it.

Cross-examined by Mr. *Hannen.*

5604. You say you saw Hirst in the "George" back yard; which Hirst was that?—Thomas Hirst.

5605. Is the "George" back yard the way to the tap?—Yes; you can get to the tap through the "George" back yard.

5606. Is that a very large yard?—Yes, it is a largish yard.

Examined by the *Committee.*

5607. What do you call doing wrong at an election?—I don't understand it properly.

5608. You said you were engaged to prevent other people doing something wrong at the election?—Yes.

5609. What was it?—To prevent their taking away voters belonging to Colonel Crosland.

5610. That is what you were engaged to do?—Yes; not to take them away by force.

5611. You were not to steal any voters?—No; we were not to do anything of the kind.

Job Brook was called in; and, having been sworn, was Examined by Mr. Serjeant *T. Atkinson*, as follows:

J. Brook.

5612. What are you?—A fireman.

5613. You were a voter, I think, at the last election for Huddersfield?—Yes.

5614. And your brother John also, was he not?—Yes.

5615. Had you a brother James?—No, I have a cousin James.

5616. Do you recollect going to the New Mill Dam, near Wakefield, just before the election?—Three days before the election.

5617. Who took you?—My cousin.

5618. Your cousin James?—Yes.

5619. Where did you go from?—We went from Bradley.

5620. Whom did you go with?—We went with my cousin.

5621. Where did you go from?—The "Three Nuns."

5622. Whose house was that?—I forget.

5623. What made you go from the "Three Nuns"?

Nuns"?—About three nights we could not sleep for non-electors, who came at night, and we thought we would be quiet, and we went there to be quiet.

5624. By the *Committee.*] Non-electors came at night, and disturbed you?—Yes.

5625. You could not sleep?—I could not sleep for them.

5626. Mr. Serjeant *T. Atkinson.*] Was your brother living in the same house with you?—Yes.

5627. Did your cousin take you away?—Yes; we got him to take us away for quietness.

5628. Who found the money?—We paid among ourselves, and he paid; he paid like a man.

5629. By the *Committee.*] Who paid?—My cousin.

5630. Did you pay for yourself?—Partly, at Wakefield; I paid nothing afterwards; we went to Wakefield; I should pay my share.

5631. Mr. Serjeant *T. Atkinson.*] Did you pay for your railway ticket?—We did not go on the railway, we had a trap.

5632. Where did you get the trap?—He has one of his own.

5633. Your cousin?—Yes.

5634. What is he?—A farmer at Swinton.

5635. And he took you to Wakefield?—Yes.

5636. Had you anything to drink on the road?—We did not stop until we got to Wakefield.

5637. Did you come from Swinton, then?—No, my cousin was at Swinton.

5638. Where did you start from?—The "Three Nuns" public-house.

5639. Swinton, I am told, is all the way to Rotherham?—It is near Penistone.

5640. Your cousin came all the way from near Rotherham over to you?—He has a farm in Bradley, and he is not long coming, and he happened to be over.

5641. When did you reach Wakefield?—About two days before the election.

5642. Where did you go to?—New Mill Dam.

5643. Was that the house Smith put up at?—Yes, it was.

5644. Was there any other voter there besides your brother, and yourself, and Smith?—No, we met with Smith.

5645. When you were at Mill Dam, I suppose you eat and drank?—Yes.

5646. Who paid for that?—My cousin paid, I believe. I do not know, to be sure, whether it is paid. We came away first.

5647. You are not sure whether it is paid at all?—No.

5648. Did your cousin run a score there?—He would run a score anywhere.

5649. That is his character, is it?—Yes.

5650. You are not certain whether he run a score there, or not?—No.

5651. Did you see him pay any money?—I saw him pay a time or two for some ale.

5652. Did you see Smith pay for anything?—No.

5653. Did you come to Huddersfield, to vote?—Yes.

5654. Did your cousin bring you back in his trap?—Yes, on the morning.

5655. Where did you go to when you came to Huddersfield?—We came to Bradley, and to vote.

5656. Did you go to the "Woodman Inn"?—Yes.

5657. Had you anything to drink there?—Yes; at our own expense, we had a glass.

5658. Was there a breakfast at the "Woodman Inn"?—No; there would have been, but it is not allowed.

Cross-examined by Mr. *Hannen.*

5659. You had always intended to vote for Colonel Crosland?—Yes.

5660. And had always said so?—Yes; I pledged for him.

5661. And signed the requisition?—No, I did not sign the requisition, because I did not know of it.

5662. You say you could not sleep for non-electors coming at night?—I could not.

5663. What did they do?—They were about the house.

5664. What did they do, or say?—Shouting; I heard them talking.

5665. Making a disturbance?—Yes.

5666. Knocking at the door?—Yes.

5667. When they knocked at the door, what did they want with you?—They wanted, they said, to speak to me. We would not open the door.

5668. By the *Committee.*] What did they do?—Shouted, and made a noise, so that I waked.

5669. Mr. *Hannen.*] Were they non-electors in the interest of Colonel Crosland, or Mr. Leatham?—They were both parties.

5670. Both parties making such a noise that you wanted to get out of the way?—Yes.

5671. As I understand, you paid for something?—Yes, I paid at Wakefield.

Examined by the *Committee.*

5672. How many of these non-electors were in the habit of coming together?—A good lot; they said there were 40 the night after.

5673. The night you were there yourself?—I did not go out to see; I could not count them through a wall.

5674. Did the two parties come together, Mr. Leatham's party and Colonel Crosland's party, or at different times?—I cannot tell; I did not go out.

5675. You say you paid for something; did you pay at New Mill Dam?—I paid for nothing after I left Wakefield.

5676. Did these persons come at night, generally?—Yes; they were the night through at my place.

5677. Did they do any damage to your house?—Not that I know of.

5678. Did you get up for them when they came?—No, I did not get up.

5679. How long did they remain outside your house?—I heard them many hours.

5680. Were they shouting all this time?—Yes, they made a noise.

5681. What were they saying?—I did not hear what they said; I heard them talking; I was partly asleep and partly awake.

5682. You know they were there several hours?—Yes.

5683. Did they come in the day time?—Yes, there has been plenty in the day time.

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5684. How many did you see come in a body in the day-time?—There were a few.

5685. How many?—Half-a-dozen.

5686. Did they threaten you?—No.

5687. They did nothing but shout and sing?—Made a noise.

JOHN BROOK was called; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*, as follows:

J. Brook.

5688. WHAT are you?—A Farmer.

5689. You were a voter at the last election, I believe?—Yes.

5690. Do you recollect going with your brother to New Mill Dam before the election?—Well, sir, we went the day before; we went on Tuesday, and came back on Thursday; they came before time, and they used me shamefully; last time they came on Wednesday morning about four o'clock to my place; I was not at home; if I had been at home I would as sure have shot them as they were men.

5691. Do you recellect leaving Bradley to go to New Mill Dam?—Yes.

5692. When did you go; was it on the Monday?—No, it was not.

5693. When?—Tuesday.

5694. Did James Brook, your cousin, take you?—Yes, he did.

5695. Did he take you in his trap?—Eh?

5696. You know what a trap is?—His conveyance?

5697. Yes. Did he take you in his gig, or horse and cart?—Yes.

5698. When he took you to Mill Dam, where did he take you to?—We went to different places to look about us.

5699. Did you go to Sir Lionel Pilkington's park?—No.

5700. Did you eat and drink there?—No.

5701. Did you not eat and drink while you were at New Mill Dam?—We stopped a bit there, but we went and looked for a cow.

5702. How long did you stay there?—We were not long there.

5703. By the *Committee.*] How long were you there?—A day and a half.

5704. Did you not eat and drink all that time?—We dined a time or two.

5705. Mr. Serjeant *Tindal Atkinson.*] You had a sup now and then, had you not?—A sup now and then?

5706. Yes?—We baited a time or two, I tell you.

5707. Who paid for it?—Who paid? why, James.

5708. Did James pay for it?—He paid a trifle.

5709. What was the trifle?—What he needed.

5710. Did you see him pay?—No.

5711. By the *Committee.*] Did you pay anything?—I paid a trifle.

5712. You say you dined two or three times. How much did you pay?—I say I paid a trifle, and James paid some.

5713. How much is a trifle; what did you pay?—A shilling or two.

5714. Did James bring you back to vote at Huddersfield?—Yes.

5715. Is James a farmer at Swinton?—He is, about four miles above Penistone.

5716. Did you see Tillotson and Smith at the New Mill Dam while you were there?—Yes.

Cross-examined by Mr. *Hannen.*

5717. Has not your cousin James a farm at Bradley, where you live?—No.

5718. He has got some land there, or used to have?—He has none there now at all.

5719. Is Job your brother?—Yes.

5720. He told us that he had?—He has some wood land.

5721. Where you live?—He is the opposite side of the lane to us.

5722. Who were these people who came and disturbed you?—They were Leathamites and Fenians.

5723. You proposed to shoot them, did you, if they disturbed you any more?—Yes.

5724. You took a milder course, and got out of the way?—I went away.

5725. Had you always promised to vote for Colonel Crosland?—Yes, sir, I had.

5726. You are not at all the other way of thinking?—No.

5727. Never have been?—No.

5728. And don't intend to be the rest of your life?—No.

5729. You and your cousin and brother were together a family party; did you all pay something?—We all did; something.

Examined by the *Committee.*

5730. Did these men who came to your place do any harm?—Well, sir, they tried the door; my people had it locked.

5731. They did not get in?—No.

5732. Did they break anything?—No.

5733. What did they do?—Well, sir, they joled and poised it.

5734. How long did they remain opposite your house?—They were there, I think they said, about two hours.

5735. Were you not there?—No, my people told me.

5736. Have you ever seen them there yourself?—No.

RICHARD TURNER was called in; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson*, as follows:

R. Turner.

5737. I BELIEVE, by business, you are a butcher, at Farr Town, Huddersfield?—Yes.

5738. Are you a voter for the borough of Huddersfield?—Yes.

5739. And you were so at the last election?—Yes.

5740. Do you recollect, about 11 o'clock on the polling day, calling at the "George Hotel"?—It was before then.

5741. I believe you had a friend with you, Mr. James Townend, had you not?—Yes.

5742. Did you see a person of the name of John North there?—Yes.

5743. While you were in the "George," did North

North come to you, or did you see him there?—Yes.

5744. Did North canvass you at all for any one?—Yes.

5745. For whom?—T. P. Crosland.

5746. What did you say?—What did I say?

5747. About a cab?—I told him that I would have a drive out a little bit.

5748. Was anything said about any refreshment?—I said I should have a drive out, and go home to change my coat and hat.

5749. Was anything said about a glass, or anything?—Then he said he would endeavour to find a conveyance; he went outside of the "George"; he came in again; he said that me and a friend were to go down to Brooks at the "Shakspeare."

5750. What took place then?—William Day and him would have a conveyance down shortly.

5751. Was that William Day, of Mold Green?—Yes.

5752. What took place then?—Me and my friend had got there nicely, and then comes Mr. William Day and North with a conveyance.

5753. By the *Committee.*] The conveyance arrived, and North with it?—Yes; we had six or seven bottles of beer and cigars.

5754. Mr. Serjeant *T. Atkinson.*] Who partook of this?—There was me and my friend James Townend, and North, and William Day, and there were a few more in as well.

5755. By the *Committee.*] What inn was this at?—Brook's "Shakspeare."

5756. Mr. Serjeant *T. Atkinson.*] Did the others partake with you?—Yes, it was drunk amongst us; it was in the bar.

5757. Who paid for it?—Mr. William Day.

5758. Was anything said about your vote then?—Day wished me to go and vote.

5759. Did he say for whom?—He did not mention anyone; I said I should go and change my coat and hat before I voted, and then I did not say for whom.

5760. Had the cab any distinctive mark on it?—No.

5761. Did you say anything about changing your coat and hat before you voted?—Yes; I said I should go home and change my coat and hat before I voted; he agreed to go with me to my house about half a mile from there.

5762. I believe you all got into the cab?—We all got into the cab.

5763. Did you go to the "Harp Inn"?—Yes.

5764. That is the one kept by Holroyd?—Mrs. Warmby.

5765. When you got to the "Harp Inn," did you find anybody there, persons in the same trade as yourself?—Yes.

5766. Was there a person of the name of Lumb?—John Lumb.

5767. By the *Committee.*] What is he?—A butcher.

5768. Mr. Serjeant *T. Atkinson.*] Is he a voter?—Yes.

5769. Did he get into the cab with you?—Yes, half way on the road.

5770. Had you anything to drink at the "Harp"?—We had brandy and cigars.

5771. Who paid for it?—Mr. Day.

5772. When you got out of the cab, Day asked you where you lived?—Yes.

5773. And you told him next door, I believe?—Yes.

5774. Did you go into your own house?—I went into my own house, and changed my coat and hat. *R. Turner.* 28 April 1866.

5775. Did you go to the "Harp" again?—Yes.

5776. When you went there, where was Day?—Day was with them in the room.

5777. The men you left?—Yes.

5778. Lumb, North, and Townend?—Lumb, North, and Townend.

5779. What were they doing when you went back?—They had some brandy, and I had a glass with them.

5780. By the *Committee.*] Some more when you returned?—I had not gone before into the "Harp Inn"; this was the first time of going in.

5781. Mr. Serjeant *T. Atkinson.*] When you went back, after you had changed your coat, did you have anything to drink?—Yes.

5782. What?—Brandy and a cigar.

5783. Did you pay for that?—No, I was not in twice; only once.

5784. When you entered the cab from the "Harp," where did you go to?—Straight away to the "George."

5785. When you got there, where were you taken to?—Into the smoke-room at the "George."

5786. Is that in the passage?—Certainly, it is in the passage; on the right hand.

5787. Had you anything there?—Yes; we had a glass each there.

5788. A glass of what?—If I am not mistaken it was brandy.

5789. That was in the smoking-room, was it?—Yes.

5790. Did you pay for that?—No.

5791. Do you know who did?—Mr. Day.

5792. After that, did Day go in and bring out any person to you?—He introduced me to Colonel Crosland.

5793. By the *Committee.*] Who introduced you to him?—Day.

5794. Was Colonel Crosland at the "George" at the time you went there?—I do not know whether he was in at the time.

5795. You were introduced to him there by Mr. Day?—Yes.

5796. Mr. Serjeant *T. Atkinson.*] When you were introduced to Colonel Crosland, what was said?—Well, Colonel Crosland wished me to take his arm, and go and vote.

5797. Did Day leave you to go in, or not?—Day left us altogether; I did not see him after then.

5798. When he introduced Colonel Crosland to you, had he left you and gone into the room, or not?—Day had gone away from us; I did not see him at that time.

5799. Was it after he left you that Colonel Crosland came out, or did Colonel Crosland come out when Day was with you?—Colonel Crosland came while Day was with us.

5800. Was Lumb there when Colonel Crosland came out?—I cannot speak to that; there was rather a bustle.

5801. Townend was with you?—Townend was somewhere about with me at the time.

5802. Colonel Crosland, you say, proffered his arm; who took his arm?—Both me and Townend.

5803. Is Townend a voter?—Yes.

5804. Then I believe you went over and voted for him?—Yes.

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5805. When you came back, where did you go to?—Into the "George."

5806. Did you have anything to drink after you came back?—At my own expense.

5807. Were you at the "George" on the day of the declaration of the poll?—No.

Cross-examined by Mr. *Hannen.*

5808. If I can trace your movements rightly, you had the cab only to go round to your house to change your coat, and then on to the "George"?—I hired the cab from Brook's "Shakspeare," with the intention to go and change my coat and hat; that was the first intention, and so it was all the way through.

5809. And you carried out your intention?—Yes.

5810. And went on to the "George"?—To the "Harp," not to the "George."

5811. And afterwards to the "George"?—No, to the "Harp"; we certainly came back from the "Harp" to the "George."

5812. With regard to the beer, did you not pay yourself for some of the beer that was drank?—Not a halfpenny.

5813. Townend was with you?—Yes.

5814. Did not Townend pay?—No.

5815. Who was Day?—Mr. William Day, dry salter, of Mold Green.

5816. Is he a voter?—I do not know that.

5817. The place where he lives is not in the borough, is it?—I do not know that.

5818. By the *Committee.*] How far is Mold Green from Huddersfield?—It is a mile from the "George."

5819. Is it a village?—It is a skirt outside.

5820. Outside of Huddersfield?—Yes.

5821. Not within the Parliamentary bounds of the borough?—I cannot speak to that.

5822. Mr. *Hannen.*] You had been canvassed for Colonel Crosland before?—Yes.

5823. And had promised to vote for him?—No, I had not pledged for any one.

5824. You had not said that you were not going to vote against him?—Not at all.

Examined by the *Committee.*

5825. Tell us, as near as you can, what Day said to Colonel Crosland when he introduced you to him at the "George"?—What did Mr. Day say?

5826. Yes.—As near as I can tell, he said, "Here are two voters;" and that is about as much as I can say. I cannot say anything more.

JAMES TOWNEND was called in; and, having been sworn, was Examined by Mr. Serjeant *Tindal Atkinson,* as follows:

J. Townend.

5827. WHAT are you by trade?—Grocer and marine store dealer.

5828. I believe you know Mr. Turner, the butcher?—I do.

5829. You are in business at Huddersfield together?—Yes.

5830. By the *Committee.*] Are you a voter?—Yes.

5831. Mr. Serjeant *T. Atkinson.*] You remember the polling-day of the last election, do you not?—I do.

5832. Were you in company with Mr. Turner?—I was.

5833. Do you recollect Mr. Day, of Mold Green, meeting you on that day?—I do.

5834. Did he take you anywhere, or did you go with him anywhere?—He did not take us anywhere; he went with us somewhere.

5835. You know a house called the "Shakspeare," I think?—Very well.

5836. Did you go with him there?—No.

5837. Did he go with you there?—No.

5838. Were you with him there at all?—We went there before him.

5839. Did he come there to you?—Yes.

5840. Had you anything to drink there?—Yes.

5841. What had you to drink?—Beer.

5842. Any spirits?—No, not to my knowledge.

5843. Who paid for it?—I paid for my own at first when I went in.

5844. And afterwards?—Mr. Day paid for some.

5845. By the *Committee.*] What had you?—Beer.

5846. Nothing but beer?—That is all.

5847. Mr. Serjeant *T. Atkinson.*] After that, where did you go?—We went to the "Harp."

5848. Who went with you?—Mr. Turner.

5849. And Mr. Day?—Yes.

5850. Anybody else?—Yes, the cabman, who was driving.

5851. Was North with you?—No, I do not recollect him being there.

5852. When you got to the "Harp," did you have anything there?—Yes.

5853. What?—I had a brandy.

5854. Who paid for it?—I paid for that myself.

5855. Did you?—Yes.

5856. Was nothing paid for there by Day?—I do not know, to speak the truth, whether there was or not.

5857. He did not pay for anything for you?—No.

5858. After that did you go to the "George"?—We did.

5859. Did Mr. Day accompany you?—He went to the "George" with us.

5860. Had you anything to drink there?—Yes.

5861. What?—I had some brandy myself.

5862. Did you pay for that?—Yes, I did.

5863. Do you recollect being in the smoking-room there?—No.

5864. Were you in the passage?—I was in one room, but what room it was I do not know.

5865. Were you introduced to Colonel Crosland?—No, only by some of the rough boys.

5866. Did you see Colonel Crosland there?—Yes.

5867. Did he come up to you?—Yes.

5868. Tell us what actually took place?—He asked us to poll, and I went with him.

5869. Did Day say anything to him before that?—Not to my knowledge.

5870. Did you hear him speak at all?—No, I did not.

5871. Did you hear anything said about "I have brought you two voters"?—I did not, to my knowledge.

5872. Did

5872. Did Colonel Crosland offer his arm?—He did.

5873. Did you take it?—I did.

Cross-examined by Mr. *Hannen.*

5874. I understand you to say that you paid for something at each of the places?—Yes.

5875. I suppose you were not particular as to whether you drank all you paid for; you drank indiscriminately together?—Yes. *J. Townend.*

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5876. When you saw Mr. Day, did you tell him whether or not you were going to vote for Colonel Crosland?—We told him we were going to vote for Colonel Crosland.

5877. Was not the polling-booth close by the "George"?—Close at hand.

MATTHEW MILNES was called in; and, having been sworn, was Examined by Mr. Serjeant *T. Atkinson,* as follows:

5878. WERE you living at Almondbury at the last Huddersfield election?—Yes. *M. Milnes.*

5879. I believe you are now residing at Oldham?—Yes.

5880. And you are by trade a Plasterer, I think?—Yes.

5881. About 12 days before the last election, were you at the "Hope and Anchor Inn," in King-street?—Yes.

5882. Did you know a person of the name of Joseph Brook Richardson?—Yes; I know him by sight.

5883. Did he come in and say anything to you?—No.

5884. Where did you see him?—I saw him at the "Crown Tavern" first.

5885. Did he ask you to do anything at the election?—He asked me to get a few watchmen up.

5886. Did you agree to do so?—Yes.

5887. Was there any arrangement made for your going to the "George"?—No.

5888. Did you on the following Monday night go to the "George"?—Yes.

5889. Did you take any men with you?—Yes.

5890. How many?—Above 30; between 30 and 40.

5891. Was that in accordance with the instructions you had previously received to get some watchers?—Yes.

5892. Did you meet Richardson coming from the railway station to the "George" at the time?—Well, I saw him.

5893. Did he give you any directions as to where you were to take those men?—No.

5894. As a fact, where did you take them to?—They all went away again.

5895. Did you go to the "Crown Hotel" with Richardson?—Yes.

5896. Before they went away were the men hired as watchmen?—They should have been, but nobody came up to hire them.

5897. By the *Committee.*] Were they hired, or were they not?—They should have been, but nobody came to say whether they would pay for them.

5898. Mr. Serjeant *T. Atkinson.*] Do you know whether they were hired during the election?—Some were and some were not, the day after.

5899. Where did you take the men to?—I took them nowhere.

5900. Did you see Richardson take the men's names down?—No.

5901. Just think for a moment; did you see Richardson take the names down?—No, he did not; I put them down myself.

5902. Did you give it to Richardson?—No.

5903. What did you do with it?—I took it to the "George," and no one would have it.

5904. What became of it?—I don't know, I am sure.

5905. Did you give it to no one?—Not that night.

5906. Any other night?—I gave it one night after.

5907. To whom?—To some one in the room.

5908. In what room?—In a room at the "George."

5909. What room at the "George"?—A large room; I don't know exactly the name of the room.

5910. Is it called the Long Room?—I will not be positive what room it is; it is a large room.

5911. Did you hear Richardson give the landlady of the "Crown Hotel" any instructions?—No.

5912. While you were about, did you see Richardson and Mr. Tom Learoyd?—No.

5913. Never at any time?—No.

5914. Has anybody been speaking to you about the evidence you are to give here?—No.

5915. No one?—No.

5916. Have you not been to Mr. Learoyd's office?—No.

5917. Have you not seen him at all?—No.

5918. Never spoken to him about this matter?—No.

5919. Or his clerk?—No.

5920. To no one connected with him?—No.

5921. Have you spoken to any person on the other side?—No; I have been away ever since.

5922. Since you have been in London have you been spoken to?—No.

5923. You have given an account of this matter to Mr. Clough, or to his clerk, have you not?—I have given him something.

5924. On Tuesday night, before the election, did you act as captain?—Yes.

5925. You know the "Hope and Anchor," do you not?—Yes.

5926. How many men were you over as captain?—Between 30 and 40.

5927. Were there other captains besides you?—Yes, there were captains to about every eight men, perhaps, or something like that.

5928. You seem to have had a large number?—I gathered them up.

5929. On the Tuesday night, before the election, acting as captain, had you any supper?—Yes.

5930. Where?—At the "Hope and Anchor."

5931. Did the men have supper with you whom you were captain over?—No.

5932. Nobody else?—Only one.

5933. Did you see Byram there at at all?—No, I never saw him there then.

5934. Did you see him at all?—Not that night.

5935. What night?—I saw him there on the Wednesday night.

5936. Where?—At the "Hope and Anchor."

5937. Had he anything to drink?—He might have.

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5938. Did you see him?—He had something.

5939. While you were there?—Yes.

5940. Did you take him in?—I met him in the street, and I asked if he would have a glass, and I paid for a glass.

5941. Did he have more than one?—Perhaps he might; if he did he paid for it.

5942. Did Richardson give you any money to pay these expenses with?—No.

5943. Nothing?—No.

5944. Are you sure?—Yes.

5945. Where did you get the money from?—From a person called Mr. Crosland.

5946. What Crosland?—He is a tall fellow.

5947. You know his Christian name?—I do not know whether they call him John Crosland.

5948. Where?—I do not know where he lives.

5949. Did he give it you in the street?—Yes.

5950. Did he know you before?—He has seen me many a time.

5951. Had you seen him at all at the "Hope and Anchor," or any of these places?—No.

5952. How did he come to give you money in the street?—I had an understanding with him to get these men up as watchmen.

5953. From him?—Yes.

5954. John Crosland gave you an understanding to get the men up?—I do not know whether they call him John Crosland; he is a tall fellow with a beard.

5955. Is he the Member's brother?—I do not know.

5956. You know Huddersfield well enough?—You do not want me to tell a lie, I suppose.

5957. No?—I do not.

5958. Did you never know him before?—No.

5959. You never saw him before?—Yes, I have seen him many a time.

5960. Seen him where?—Up and down the street.

5961. How came you to know his name was Crosland?—I heard persons call him Crosland.

5962. John Crosland?—I think it was John Crosland.

5963. How much money did he give you altogether?—I could not tell.

5964. You must tell?—I could not tell.

5965. You will receive a reproof if you do not; you must tell what you got?—I could not tell; I do not know.

5966. I ask you what you got, and I leave you in the hands of the Committee if you will not tell me?—I could not tell.

5967. By the *Committee.*] Now, answer the question; how much money did you get from Mr. John Crosland?—I could not tell, I am certain, how much I got.

5968. Did you get 20 *l.* from him?—No; nor a quarter of it.

5969. Did you get 5 *l.*?—No, I do not think I did; I cannot swear how much I got.

5970. You must try and recollect?—I was fresh some part of the time.

5971. Mr. Serjeant *T. Atkinson.*] What, when he gave you money?—Yes.

5972. By the *Committee.*] Whose money did you get fresh with?—My own sometimes.

5973. Whose at the other time?—The gentleman I am speaking about.

5974. This gentleman that you do not know?—I know him by sight.

5975. Mr. Jones?—Mr. Crosland, not Mr. Jones.

5976. Mr. Serjeant *T. Atkinson.*] How much money did you get altogether?—I could not tell exactly.

5977. What did they give you for your own expenses?—I got paid a regular day's wage.

5978. How much?—Five shillings a day.

5979. Is that all?—Yes.

5980. As captain of the 50?—Yes.

5981. Did you not get something at the end of the election?—No.

5982. When did they pay you?—They paid me at intervals, just now and then.

5983. Who paid you?—This Mr. Crosland; I had a glass or two of Mr. Richardson once; that is all I had.

5984. Where; come, sir, out with it?—He gave me money to pay for it.

5985. Did Jonas Byram drink with you more than once?—Yes.

5986. At the "Hope and Anchor"?—No; not more than once.

5987. Where else?—I was at the "George Hotel" with him.

5988. Was that before the election?—Yes.

5989. Had you charge of him?—I do not know that I had exact charge; he went where he liked.

5990. Were you told to look after him?—Well, I was told to look after him.

5991. Who told you?—Mr. Crosland.

5992. How were you to look after him?—Well, to see that he was not hurt, or anything of that sort; to see that he came up the morning after.

5993. At the "George" you say you had something to drink with him; did you pay for it?—I paid for some.

5994. What was it?—A glass or two.

5995. By the *Committee.*] Did you pay for what Byram had to drink?—Yes, some of it.

5996. Why cannot you answer?—I said so before.

5997. Mr. Serjeant *T. Atkinson.*] Did you tell Byram that Joseph Hellawell had sent you?—No.

5998. Did you tell him that he had promised him something handsome?—No, I never told him anything of the sort.

5999. Did Byram tell you that he had something handsome promised him?—He told me Mr. Hellawell had been at him.

6000. Had you not brandy and soda-water and cigars together?—Yes.

6001. At the "George"?—Yes.

6002. And you paid for it?—Yes, part of it.

Cross-examined by Mr. *Rodwell.*

6003. You are not a voter?—No.

6004. You were a watcher?—Yes.

6005. And you watched Byram?—Yes.

Examined by the *Committee.*

6006. You said that you had supper at the "Hope and Anchor"?—Yes.

6007. How many were there at supper?—Two.

6008. Two persons?—Yes.

6009. Who were they?—Me and a fellow they call Paul Hunton, I think.

6010. You did not bring your friends to that supper?—No.

6011. By Mr. Serjeant *T. Atkinson,* through the

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the *Committee.*] Did not John Haigh give you 1 *l.* at the "George"?—No, he did not.

6012. Did he give you anything?—He paid for a glass for me.

6013. Did he give you no money?—No; only to pay for a glass.

6014. By the *Committee.*] How much did the 30 or 40 watchers get a day?—I believe they got 10 *s.* a day.

6015. Each?—I believe so; I did not pay them.

6016. You have sworn that you only got 5 *s.* a day?—I did; they were on two nights.

6017. That is 1 *l.* each they got for the job?—Yes.

6018. How much money did John Haigh, junior, give you to pay for a glass?—Perhaps about 2 *s.*

CHARLES WALKER was called in; and, having been sworn, was Examined by Mr. Serjeant *T. Atkinson,* as follows:

C. Walker.

6019. I BELIEVE you are a Warehouseman?—Yes.

6020. Do you recollect the Monday before the last Huddersfield election?—Yes.

6021. Were you in Northumberland-street, and do you recollect seeing Matthew Milnes, the man who has just left the room?—Yes.

6022. You are not a voter, I think?—No.

6023. Do you recollect going to the "George"?—On the same evening?

6024. Yes?—No.

6025. Did you go to the "Crown"?—Yes.

6026. What did you go there for?—I went there with Milnes.

6027. For what purpose?—I went there, and when we got there we met with a man of the name of Richardson, and he wanted a few men just to watch that night; we were engaged to watch.

6028. Were any instructions given by Richardson about guarding the door?—Yes; I believe he told him to shut it.

6029. At this place where you were?—The "Crown Tavern."

6030. Did you receive any instructions from Richardson to go to the "George Hotel" at any time?—Yes.

6031. Why were you to go to the "George Hotel"?—He said we were to go to the "George," and see a man of the name of Cliff.

6032. Did you go?—Yes.

6033. When you got to the "George," what was there; did you see Byram there?—No.

6034. Did you see Byram at all during the election?—Yes.

6035. Where?—I saw him at the "George."

6036. Did you see him get anything to drink?—Yes, he had something to drink.

6037. You were present, were you?—Yes.

6038. Who paid for it?—I do not know who paid for it.

6039. Do you not?—No.

6040. You did not?—No.

6041. Did you see the man himself pay for it?—No, he did not pay for it.

6042. You do not know whether it was paid for or not?—No.

6043. Did you see him at the "Hope and Anchor"?—Yes.

6044. When?—On the nomination night.

6045. What was doing at the "Hope and Anchor" on the nomination night?—He had been to the "George," and he was very restless, and wanted to go down to the "Hope and Anchor."

6046. By the *Committee.*] Who was restless?—Byram, and he wanted to go down there.

6047. Mr. Serjeant *T. Atkinson.*] In whose charge was he then; who had got him?—He was with me and Milnes, and a man of the name of Pickering.

6048. You mean he was restless at the "George"?—Yes.

6049. And you took him, when he was restless, up to the "Hope and Anchor;" is that what you mean?—Yes, we went down there.

6050. Who had given him into your custody to look after?—Milnes.

6051. Nobody else?—No.

6052. When you got to the "Hope and Anchor," were there many people there?—Yes, there were a good many.

6053. Had you a room there of your own?—No; we were first in one room and then in the other.

6054. What was going on there?—Drinking and smoking.

6055. Was Byram in the same room with you?—Yes, part of the time.

6056. Had you anybody else to look after?—Not there.

6057. Did he have anything to drink at the "Hope and Anchor"?—Yes.

6058. What?—I think he had brandy.

6059. More than one "go"?—Yes, he had two.

6060. Cold without?—I cannot say that.

6061. Who paid for it?—I do not know exactly; Milnes paid for some; I saw him pay a few times.

6062. Was nothing said to the landlord about chalking up?—Yes; there were a few half gallons came in, and Milnes told him to chalk that up.

6063. Did you see voters there as well?—No; there was only Byram.

6064. Did you go back to the "George," or did you remain at the "Hope and Anchor"?—Went back to the "George."

6065. Where did he take you to there?—We were going to get to the "George," and we met the mob, and we commenced fighting them, and the other party got him; Milnes had him in his arm; they took him away, and I got him by one leg, and I pulled.

6066. Then you got him into the "George"?—No.

6067. Where did you take him?—They took him away from us.

6068. By the *Committee.*] Who were these parties?—I cannot say; there were many hundreds.

6069. Were they Leathamites?—Yes, I think they were.

6070. Mr. Serjeant *T. Atkinson.*] They were not all Leathamites, surely?—They appeared to be.

6071. You said they were fighting?—Yes.

6072. When you were at the "George" with him,

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him, did the waiter bring in spirits and cigars?—Yes.

6073. Was anything said about "It is all right about the money"?—Yes; Milnes said, "It is all right;" I heard him say that once; whether he paid it or not I do not know.

6074. To whom did he say it?—To the waiter,

6075. Did he say "You know what it is about"?—No; I cannot say that.

Cross-examined by Mr. *Rodwell.*

6076. Milnes had got a lot of men under him as watchers, had he not?—Yes.

6077. When he said it was all right, had he been giving these men something to drink, or what was it?—No; there was only me and him in the room, and a man of the name of Pickering, besides Byram.

6078. You and Milnes were watching Byram?—Yes.

6079. The other party got him away from you?—Yes; when we came back to the "George" the second time.

6080. You say there were hundreds of people?—Yes; if I said thousands I should not be wrong.

6081. Were the thousands or hundreds you saw the people who got away Byram from you?—They pulled him away from us.

6082. Is Byram here?—I have not seen him.

6083. He is alive, I hope?—He was the other day.

Further Examined by Mr. Serjeant *T. Atkinson.*

6084. About a week or 10 days before the election, were you present at a supper at Henry Brook's, at the "Shakespeare"?—I do not know whether they termed it a supper or not.

6085. Was there meat and drink?—Yes.

6086. What time of the evening was it?—I think, as near as I can guess, from 10 to 12.

6087. How many persons were there present?—Well, I could not say.

6088. There were a great many, were there not?—About half the quantity there are in this room.

6089. Would there be 50 or 60?—Well, I dare say there would.

6090. Did you see Mr. Aston there?—Yes.

6091. Mr. Tom Learoyd?—Yes.

6092. Mr. Joe Cliff?—Yes.

6093. Mr. Samuel Fearnside?—Yes.

6094. Who was chairman?—Tom Learoyd.

6095. Who was vice-chairman?—Mr. Cliff.

6096. Do you know any of the members of Colonel Crosland's committee?—No, I do not.

6097. Were the gentlemen you say there supporting the chairman; were they or not supporters of Colonel Crosland; were they his friends?—I could not say whether they were or not.

6098. Were they on his side?—Yes, of course.

6099. Did you see any voters at that supper?—I cannot say exactly; only the men I have mentioned.

6100. Was Townend there?—No.

6101. Did you see John Parish there?—No.

6102. Did you see John Tolson there?—No.

6103. Did you see Mr. John Haigh there?—No.

6104. Mr. Joshua Hobson?—No.

6105. What was going on there?—Well, some had one thing and some another.

6106. Was there ale, porter and spirits?—Yes.

6107. Did you see anybody pay for anything?—No.

6108. When did you leave?—I cannot say the time I left.

6109. I believe you did not leave very sober, did you?—Well, I cannot say for that.

Cross-examined by Mr. *Rodwell.*

6110. What is the name of the landlord of this inn; is it Henry Brook?—Yes.

6111. You say you saw Mr. Aston?—Yes.

6112. Was that Mr. Henry Brook, the landlord, you say you saw there?—Yes.

Examined by the *Committee.*

6113. Who paid for the supper?—I do not know.

[HENRY MILNES was called in; and, having been sworn, was Examined by Mr. Serjeant *T. Atkinson*, as follows:

H. Milnes.

6114. Do you know Joe Cliff?—Yes.

6115. Were you engaged in the election?—Yes.

6116. As what?—As a man.

6117. As a watcher?—Yes; as a night watcher.

6118. By the *Committee.*] You are not a voter?—No.

6119. Mr. Serjeant *T. Atkinson.*] How many days were you engaged?—Three nights and a day, I think.

6120. Who engaged you?—Mr. Joe Cliff.

6121. Where did he engage you?—At the "Fleece Inn."

6122. What was your district?—The other side of Far Down Bar.

6123. Where had you to go to?—From the Far Down Bar, down to the bridge going to Sheepridge.

6124. You know the "Crown," do you not?—Yes.

6125. Was that the house you went to?—The "Crown."

6126. Did you go to the "Crown"?—On the Tuesday night we were watching?

6127. Yes?—We were there.

6128. Did you go on the nomination day?—No.

6129. Do you know a man of the name of Sunderland?—Yes.

6130. Did you see Charles Sunderland at the Crown, while you were about?—No.

6131. Had you to watch him?—No.

6132. Did you not see him at all?—At the "Crown Hotel?"

6133. Yes?—I saw him.

6134. By the *Committee.*] When?—On the Tuesday afternoon, I was with him there.

6135. Mr. Serjeant *T. Atkinson.*] What was he doing there?—We took him to the "Crown Hotel."

6136 Where from?—Out of Macaulay-street.

6137. Out of his house?—No.

6138. Where was he in Macaulay-street?—He was coming down, and we met him accidentally.

6139. Had

6139. Had you seen him before ?—No.

6140. Do you know a man of the name of Brook Richardson ?—Yes.

6141. Did Brook Richardson give you any instructions about Sunderland ?—He said he was a voter, and we were to get him away and bring him to the "Crown Hotel."

6142. Acting on that instruction of Richardson's, you met with him accidentally, you say, and took him ?—Yes.

6143. Who was with you when you took him ?—My brother Matthew, and Charles Walker, and Richardson, and a man named Kitchener.

6144. When you took him to the "Crown Hotel," did you have anything to drink ?—Yes, we got brandies and soda-water.

6145. What part of the "Crown Hotel" did you take him to ?—Into a room on the right hand side.

6146. Upstairs ?—Downstairs.

6147. Were there any other persons there ?—Yes, my brother Matthew, and Charles Walker, and Richardson.

6148. Any voters there ?—No.

6149. He had brandies and cigars ?—Soda-water.

6150. Was he sober ?—Yes, he was sober when they took him in, but he was not so very sober when they took him out again.

6151. How long did he remain there ?—Perhaps an hour.

6152. What did he drink ?—Brandies.

6153. Do you know who paid for it ?—No.

6154. You did not ?—No.

6155. Did you see your brother pay for it ?—No.

6156. Nor the man himself ?—No.

6157. Who gave the orders ?—Richardson and my brother Matthew.

6158. Did they take him upstairs ?—No.

6159. What became of him after this state of sobriety ?—We sent for a fly, and we went down to the "Duke of York" with him.

6160. When you got him to the "Duke of York" what did you do with him ?—Took him upstairs.

6161. Where to ?—Put him in a bedroom.

6162. Had he anything to drink there ?—Yes, we got brandies and soda-water there.

6163. Who did ?—Sunderland and me.

6164. Was the "Duke of York" a house you had for your voters ?—Yes.

6165. Were there other voters besides this man Sunderland ?—No.

6166. Not that you know of, I suppose ?—No.

6167. He had brandy there in the bedroom, had he ?—Yes.

6168. Who paid for it ?—No one, while I was there; I did not see any one pay for it.

6169. Did you remain all night with him ?—No.

6170. What became of him ?—Took him to the "George Hotel."

6171. When you got to the "George," what did you do with him ?—Took him into the Long Room, and then brought him out of there to the room in the passage.

6172. Who were in the Long Room when you took him in ?—Several folk.

6173. Persons you knew ?—Yes, two or three of them.

6174. Who were they ?—Learoyd I know very well.

6175. Which Learoyd ?—Attorney Learoyd.

6176. You saw him in the room, did you ?—Yes.

6177. Did you see anybody else you know ?—Yes, there was Thomas Learoyd.

6178. Captain Tom Learoyd ?—Yes.

6179. Anybody else ?—Vickerman and Aspinall.

6180. Anybody else that you know ?—No.

6181. When you went in and saw these gentlemen there, did you say anything to them about this man ?—No, I had nothing to say; they knew what I was about without saying anything.

6182. Was nothing said about him, because he had been drinking ?—There was this said; I was to watch him and take care of him, and see that no one took him away.

6183. By the *Committee.*] Who said that ?—Mr. Brown.

6184. Mr. Serjeant *Tindal Atkinson.*] Was that said in the presence of Mr. Learoyd ?—I cannot say whether Mr. Learoyd was there at the time.

6185. Upon that, what did you do with him ?—We took him into the room along the passage, and stopped there several hours.

6186. Was there anybody else in that room in the passage ?—Yes, it was full.

6187. Full of what ?—Full of gentlemen.

6188. Was there anybody drinking there ?—Yes, all that were in.

6189. Did you know whether any of the voters were there ?—Yes.

6190. What did you do with your man ?—I kept him by the side of me.

6191. Where did you take him then ?—I took him upstairs to bed then.

6192. By the *Committee.*] At the "George" ?—Yes.

6193. Did you put him to bed ?—Yes.

6194. Mr. Serjeant *T. Atkinson.*] Then all this took place in the "George"; you took him into the room where these gentlemen were, and brought him out into another room where the people were drinking, and then took him to bed ?—Yes, about two o'clock in the morning.

6195. Who told you to put him to bed there ?—Brown and Smith.

6196. Brown was one of the gentlemen you saw in the Long Room ?—Brown was stationed with me down at the "Duke," and Smith also.

6197. By the *Committee.*] They were both watchers, were they ?—They were head men.

6198. Mr. Serjeant *T. Atkinson.*] What became of him; did anyone stay with him ?—Yes, I stopped with him till next morning.

6199. By the *Committee.*] Did you sleep with him ?—Yes.

6200. Mr. Serjeant *T. Atkinson.*] What became of him in the morning ?—He woke, and jumped up and looked through the window, and said, "I see what I am doing here."

6201. Did he have any breakfast ?—I don't know whether he had any breakfast; I left him about half-past six in the morning.

6202. With whom ?—With Brown.

6203. You had performed your night's watching, and then you left ?—Yes.

Cross-examined by Mr. *Rodwell.*

6204. That was a rough night at Huddersfield, was it not; a good deal of fighting and rowing going on ?—Yes.

6205. This

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6205. This man you were watching, Sunderland, the mob followed you after him in the streets, did they not?—Yes.

6206. And you did all you could do to get him into the "George"?—Yes.

6207. Mr. Haigh is the landlord of the "George," is he not?—Mr. Wigney.

6208. Did he do all he could to quiet the people outside that night?—No.

6209. Did he give you any orders?—No.

6210. Is Mr. Haigh the landlord of the "Crown"?—Yes.

6211. And was there a lot of people round the "Crown," Leathamites?—No.

6212. Were they round the "George"?—Yes.

6213. How many Leathamites did you see round the "George"?—I could not say; 60 or 70, perhaps.

6214. What were they doing?—They were trying to get Sunderland away from us.

6215. By the *Committee.*] Were there any Fenians there?—I cannot say; perhaps there were some Irish there; I did not take particular notice.

6216. Mr. *Rodwell.*] Is Sunderland here?—Yes, I have seen him outside.

ALFRED FLINT was called in; and, having been sworn, was Examined by Mr. Serjeant *T. Atkinson*, as follows:

A. Flint.

6217. I BELIEVE you carry on the business of a Tailor, at Castlegate, in Huddersfield?—Yes.

6218. You were a voter at the last election?—Yes.

6219. I believe you were canvassed anxiously by both sides?—Yes.

6220. I believe you did not pledge yourself for either party?—No.

6221. On the evening of the nomination day, I believe you had left your house for some short time?—Yes.

6222. What time did you return home?—About a quarter to 10.

6223. I believe, from something you heard from Mrs. Flint, you went somewhere, did you not?—Yes.

6224. Where?—Barned Peel, "Buxton House."

6225. When you got there did you see two persons of the names of Dickenson and Ramsden?—Yes.

6226. And another person of the name of John Doherty?—Yes.

6227. Were you asked to have anything to drink?—Yes.

6228. By whom?—William Dickenson.

6229. Had you something to drink?—Yes.

6230. What?—I think it was a glass of porter.

6231. When you had drunk the porter did they ask you anything about your vote?—Yes.

6232. What did they say?—They asked me who I was going to vote for.

6233. Who asked you?—William Dickenson.

6234. What did you say?—I said that was my business.

6235. Was anything said by anybody about going to the "George Hotel"?—Not just at that time.

6236. At any time during the conversation?—Yes.

6237. What was said?—Merely inviting me to go to the "George" to have a glass of beer, or something of that sort.

6238. By the *Committee.*] Dickenson did?—Yes.

6239. Mr. Serjeant *T. Atkinson.* Were you asked to stay there that night?—Yes.

6240. At "Peel's" or at the "George"?—It was not exactly to stay there all night.

6241. What was exactly said?—They asked me to have a glass, and stay a bit.

6242. Nothing was said about "all night"?—Not just then.

6243. When?—Nor at any time.

6244. Did Ramsden, or any of them, say he was going to the "George"?—Yes.

6245. What did he say?—Ramsden said he was going on to the "George," and he asked me to stay till he went.

6246. Did you promise him you would?—Yes, I did.

6247. Ramsden came back to you?—Yes.

6248. What did he say?—He said it was all right.

6249. By the *Committee.*] What was all right?—That is a question.

6250. We want an answer?—Of course; he just made use of the words "It is all right."

6251. Mr. Serjeant *T. Atkinson.*] Did he mention any name?—Yes.

6252. What?—Captain Learoyd.

6253. What was "all right;" what were you to do?—Well, there was nothing definite to do.

6254. Was anything said about your staying at "Peel's"?—No.

6255. While Ramsden was away were you asked to go into the back room?—Yes.

6256. Did you go?—Yes.

6257. By the *Committee.*] Was this back room at the "George," or at "Buxton House"?—At "Buxton House."

6258. Mr. Serjeant *T. Atkinson.*] Had you anything further to drink at "Buxton House"?—Yes.

6259. Would Peel let you have anything before the messenger returned from the "George"?—Anything I wanted.

6260. Before he returned?—Yes.

6261. What did you have?—Well, I don't know; perhaps I had another glass or two of porter; I had a glass of whisky before he came back, very likely.

6262. Did you pay for it?—I do not know who paid for it.

6263. By the *Committee.*] Did you pay for it?—I did not.

6264. Was this in the back room?—No, it was in the front room.

6265. Mr. Serjeant *T. Atkinson.*] Had you anything to eat?—Not then.

6266. Afterwards?—Yes.

6267. What?

6267. What?—I had some cheese and bread afterwards.

6268. Did you pay for that?—No

6269. Was anything said about your vote while you were eating and drinking?—Yes; general conversation about it.

6270. Was anything said about it; tell us what was said?—You see it is a long time since then, and I cannot positively say what was said.

6271. Was anything said about your vote?—Yes; there was something said about my vote.

6272. What?—In speaking of it they asked me who I was going to vote for; pressing upon me.

6273. By the *Committee.*] Who asked you?—The company who were there.

6274. Who?—Dickenson, Ramsden, Doherty.

6275. Mr. Serjeant *T. Atkinson.*] Was anything said about a 10*l.* note?—Well, that was mentioned to me.

6276. By whom?—I do not know.

6277. Was it by some of the company who were present?—By one who was present.

6278. What did he say?—Well, he said I might as well make a 10*l.* note.

6279. By what?—Nay, he did not say what.

6280. By the *Committee.*] Do not you recollect who said that?—I do not know his name; I know the man by his features, but I do not know his name.

6281. Mr. Serjeant *T. Atkinson.*] Did you remain in that back room till about four or five o'clock the following morning?—No, not quite so long.

6282. How long?—As near as I can tell, about two o'clock, or shortly after.

6283. What were you doing all that time?—We were drinking and making speeches, and various things.

6284. Something in the oratorical line?—Yes.

6285. Did you speak?—I believe so.

6286. After that where did you go?—We had a bit of a walk.

6287. In the cool of the morning?—Yes.

6288. Having enjoyed that, where did you go then?—In our ramble we got to the "George."

6289. Did you go straight?—Not exactly.

6290. By the *Committee.*] This was two o'clock in the morning?—Yes.

6291. Mr. Serjeant *T. Atkinson.*] I daresay you rather liked the cool breeze on your cheek?—Just at that time I did.

6292. You went towards the "George;" what made you go there?—Well, I suppose there was something more interesting going off in the shape of fun.

6293. At the "George" at that time in the morning?—Out in the street.

6294. Was the fun in the street or in the "George"?—Oh, it was in both places, I believe.

6295. Having had enough of the fun in the street, what fun did you go to in the "George"?—I do not remember seeing much fun in the "George."

6296. Did you go to the "George" as a fact?—Yes.

6297. Where did you go to when you went there?—When I went to the "George" I was met at the door.

6298. By whom?—By Mr. Learoyd.

6299. Which Learoyd?—Nehemiah.

6300. Which door was it?—The front door, facing St. George's-square.

6301. Was Mr. Nehemiah Learoyd up at that hour?—He was, or else I should not have seen him.

6302. What said he to you?—He kindly invited me to go in and rest myself; he thought I was tired.

6303. I want to know what he said to constitute the invitation?—Well, he says, "Go in now, and rest yourself; you are tired."

6304. Did he say that you looked tired?—He did not say that I looked tired; but he said I was tired.

6305. Had you done a day's work before?—Let me see. No, I had not.

6306. You were not tired?—I was tired as far as regards walking about.

6307. Did you go into the parlour?—I do not know what room it was.

6308. You went into a room?—Yes, I did.

6309. When you went into the room, whom did you see there?—I cannot exactly tell you.

6310. Were there a number of persons?—There were four or five.

6311. What were they doing?—They seemed to be sleeping.

6312. Were they on the floor?—I believe there was one on the floor.

6313. What had he by the side of him?—A chair, I think.

6314. Did you see any glasses or pipes on the floor?—No, I do not remember seeing anything of that sort.

6315. How many did you say were there altogether?—I cannot tell you.

6316. Where they all asleep?—I do not remember seeing anybody awake, at any rate.

6317. How was the furniture; was it upset?—The furniture was upset.

6318. Strewed about?—It looked as if they were going to clean the room, or something of that sort.

6319. Are you sure about only four or five; were there not a great many more?—I cannot positively say, because I could see double at that time.

6320. Did Mr. Learoyd go into this room with you?—No.

6321. Where did he go?—He stayed at the door.

6322. Had you anything to drink there?—No.

6323. Not at the "George"?—Not at that time.

6324. Did you afterwards?—I had before, and I had afterwards.

6325. How do you mean before?—I had on the day of the nomination.

6326. At the "George"?—Yes.

6327. Who was present when you had the drink?—I do not exactly know; there was a room full.

6328. Did you see any gentlemen there whom you knew?—Yes; I believe I saw two there whom I knew.

6329. What were their names?—George Henry Smith and James Marshall.

6330. By the *Committee.*] Were they of the four or five who were sleeping?—That was a different time.

6331. Mr. Serjeant *T. Atkinson.*] Did you go to "Buxton House" afterwards?—Yes.

6332. Had you anything to drink there again?—Yes.

6333. By the *Committee.*] At this particular visit to the "George" you had nothing to drink, had you?—No.

6334. Mr.

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6334. Mr. Serjeant *T. Atkinson.*] Do you know the "Dock Tavern"?—I know a public house in Dock-street; I do not know whether it is the "Dock Tavern" or not.

6335. It may be called the "Dock Tavern"?—It may be.

6336. Did you have anything to drink there?—Yes.

6337. Who took you there?—Joe Richardson and John Bottomley.

6338. By the *Committee.*] When was this?—It would be about 11 o'clock on the polling day.

6339. Mr. Serjeant *T. Atkinson.*] Who paid for your drink there?—I do not know.

6340. You did not?—No.

6341. Had you much?—No, I had nothing; only a bottle of ginger beer.

6342. After that did you have anything to drink anywhere else; did you go after that to the "George"?—Not that day.

6343. Was it the day before you have been speaking of?—No, it was the day after I went.

6344. The day after the polling day?—Yes.

6345. Was that at the declaration of the poll?—Yes.

6346. What took place then; were you in the Long Room?—Yes.

6347. Where all the gentlemen were?—Yes.

6348. How did you come to go there?—There was a procession formed for the candidate, Mr. Crosland.

6349. Did anybody invite to you?—I do not know that.

6350. Did you hear anybody ask you to go?—No.

6351. The procession from where?—It was from the hustings.

6352. You formed in procession?—Yes.

6353. Of voters?—Anybody, I suppose.

6354. Where did you go?—Into the Long Room at the "George."

6355. What did you get there?—After we had been in some time, and a few speeches had been made, a gentleman asked us to drink Mr. Crosland's health in a glass of champagne.

6356. By the *Committee.*] Who was that gentleman?—It was Mr. Kay.

6357. Mr. Serjeant *Tindal Atkinson.*] Mr. Jere Kay?—Yes.

6358. By the *Committee.*] Was this on the declaration of the poll, or the nomination day?—After the declration of the poll.

6359. Mr. Serjeant *Tindal Atkinson.*] What did you get?—I got a glass of champagne.

6360. No more than a glass?—Well, I had a little drop.

6361. Did you get a bottle?—No, not a bottle.

6362. You were not one of those who struck the neck off with a knife?—Not exactly.

6363. Did you see it done?—I did not.

Cross-examined by Mr. *Hannen.*

6364. As to this procession; how far is the "George" from the polling booth?—Perhaps a hop, a stride, and a jump.

6365. About the length of this room?—Just about the length of this room.

6366. That was the procession?—It was a grand procession.

6367. Now go back to "Buxton House"; I understand you to say that there was a person named Dickenson and Doherty there, and others?—Yes.

6368. When the speechifying was going on?—Yes.

6369. Doherty was a Leathamite, was he not?—One of them was; there were two Doherties.

6370. The Leathamite was there?—Yes.

6371. I suppose the meeting was enlightened by speeches, opposite sides?—Yes.

6372. My friend said that it was a singular thing your vote should be spoken of; I suppose it would have been a singular thing if you had talked about anything else at the election than your votes?—It would indeed.

6373. When you took this ramble, and in the course of your ramble you got to the "George," it was not a very easy thing to ramble, was it; the streets were very full, were they not?—Not exactly.

6374. Almost close to full?—No, not by a long way.

6375. Seriously, were there not a great number of people?—There were a good number of people.

6376. And was not the fun which you expected at the "George," the row arising from the great number of people opposite to it?—Indeed it was.

6377. Was there not such a crowd there that it was impossible for Mr. Learoyd to get out?—Well, not exactly.

6378. Was there not a crowd of people clamouring for him, and threatening him?—I did not see any just then.

6379. Were there not several policemen there to protect persons at the "George" from the violence of the crowd?—Yes.

6380. By the *Committee.*] At two o'clock in the morning?—At two o'clock in the morning.

6381. Mr. *Hannen.*] You were amongst the crowd?—Not exactly.

6382. Were you not beckoned in for safety from the crowd?—Well, no; I don't think I was.

6383. Had not the crowd sticks; were there not many sticks amongst them?—Plenty.

6384. And they were surging about like the sea there?—Yes.

Re-examined by Mr. Serjeant *Tindal Atkinson.*

6385. My friend asked you whether Mr. Learoyd could get out; are there not two entrances to the "George"?—Many a one.

6386. Is there not one that goes into John William-street behind?—Yes.

Examined by the *Committee.*

6387. Did you vote?—Yes.

6388. Who did you vote for?—Mr. Crosland.

6389. Did you promise to vote for him at first?—I promised no one.

[Adjourned till 11 o'clock on Monday.

Monday, 30th April 1866.

RIGHT HON. LORD NAAS, IN THE CHAIR.

Mr. *Temple* stated that the case on behalf of the petitioners was closed.

Mr. *Rodwell* was heard to address the Committee on behalf of the sitting Member.

Colonel THOMAS PEARSON CROSLAND, a Member of the House, having been sworn, was Examined by Mr. *Hannen*, as follows:

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6390. YOU are the sitting Member for Huddersfield?—I am.

6391. Are you a native of Huddersfield?—I am.

6392. Have you resided there all your life?—Yes.

6393. I believe you are a magistrate, and deputy lieutenant of the West Riding?—Yes.

6394. And you get the title of colonel, from the Rifle Corps?—I do.

6395. I believe you have been in business several years?—A great number of years.

6396. Under the firm of George Crosland & Sons?—Yes.

6397. In partnership with your brothers?—Yes, three brothers.

6398. I may as well have their names?—John Woodhead Crosland, Joseph Crosland and Charles Crosland.

6399. I believe for many years there has been a division in the Liberals at Huddersfield; you are divided into Whigs and Radicals?—There has been a division about 20 years.

6400. You have been an active politician for some years?—I have had something to do with everything that has transpired there in the shape of elections.

6401. On the Radical side or on the Whig side?—We call ourselves moderate men.

6402. You were, in fact, chairman of Mr. Ackroyd's Election Committee, I believe?—I was.

6403. Did you also act in that capacity in the second contest, in 1859?—I did.

6404. That was the occasion on which he was defeated by Mr. Leatham?—Yes.

6405. There was a narrow majority, I believe?—Nineteen, I believe.

6406. It was originally anticipated that Mr. Ackroyd would come forward again, I believe?—It was.

6407. In Midsummer 1864, was his determination not to be again a candidate, announced?—It was.

6408. At that time, an early dissolution was anticipated?—Yes.

6409. Did you summon a meeting of Mr. Ackroyd's supporters, in order to announce his intention?—I did.

6410. It has been said that Mr. Learoyd presided at that meeting; is that correct?—It is not true. I presided in the first part of the meeting myself, as naturally I should as the chairman.

6411. It has also been suggested that he suggested your name as a candidate; is that the case?—He did not.

6412. I believe your name was mentioned by some gentleman present?—My name was mentioned by the High Constable of Huddersfield; Mr. Sykes.

6413. Up to that time had you entertained the slightest idea of coming forward yourself?—I had no idea of coming forward.

6414. Did you at once make up your mind to come forward?—No, I said that Huddersfield must speak first, before I spoke.

6415. As a matter of fact, was a requisition signed by a great number of persons?—A requisition was at once got up that very night, and the signatures were attached to it then and there, of a very considerable number, and then it passed over a few weeks, and more were obtained.

6416. Then was there a meeting of the requisitionists?—Not only a meeting of the requisitionists, but perhaps a meeting of something like 1,500 of the constituency called.

6417. Did they come to some resolution, and then invite you to attend?—They did.

6418. You were not there originally?—I was not there originally.

6419. By the *Committee.*] Do you mean 1,500 of electors?—Yes, 1,500 electors were invited to that meeting; the requisition and the support it had, would be rather over one-half of the then constituency; there are many gentlemen who, although they will not sign a requisition, will tell you point blank they are with you.

6420. Mr. *Hannen.*] That meeting having been assembled, you attended there?—I did; a deputation came to me for the purpose of my going down; I accepted the requisition, and I came forward at once as a candidate.

6421. Who presided at that meeting at which you agreed to become a candidate?—Mr. Jere Kaye.

6422. He had been vice-chairman, I believe, of Mr. Ackroyd's committee?—Yes.

6423. I have forgotten what it was at that time which led to an anticipation of an early dissolution?—It was the Schleswig Holstein differences.

6424. That anticipation was not realised?—No; it tided over.

6425. And the Session was prolonged?—Yes.

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6426. As that was tided over, did your candidature subside into less prominence?—It remained entirely in abeyance until the May following.

6427. I did not get the date of the meeting?—The beginning of July.

6428. That would be some five months?—Yes.

6429. In May politics began to stir again?—Yes.

6430. What was the first thing you did on again moving in the matter?—I think the first thing that was done, but I will not speak positively, with my committee; at least a meeting would be held—

6431. You first of all said "my committee," did you then appoint a committee?—I did.

6432. How many did you appoint in the first instance?—I originally appointed six, giving them power to add to their number.

6433. Who were those gentlemen, Mr. Jere Kaye, you told us, was chairman of the meeting; Mr. Charles Brook, junior, was he one?—He was.

6434. Mr. Samuel Wood Haigh?—Yes.

6435. Mr. John Sykes?—Yes.

6436. Mr. Joseph Wrigley, junior?—Yes.

6437. And Mr. William Henry Aston?—Yes; those were the six.

6438. You say they had power to add to their number?—Yes.

6439. Did they add to their number?—They added seven more to their number.

6440. And those names I may as well give you; Mr. Herst?—Yes.

6441. Mr. John Woodhead Crosland?—Yes.

6442. Is he your brother?—Yes.

6443. Mr. Henry Dyson Taylor?—Yes.

6444. Mr. John Day?—Yes.

6445. Mr. John Haigh, junior?—Yes.

6446. Mr. Henry Beaumont Taylor?—Yes.

6447. And Mr. W. R. Haigh?—Yes, the two latter; although they were very favourable to my candidature, did not attend any of my committee meetings.

6448. So far as you know, and so far as in any way depended upon your authority, was the business of the election conducted by those gentlemen exclusively?—Entirely.

6449. How often did this committee meet?—I believe, in the commencement, twice a week.

6450. Did you attend those committee meetings?—As a rule, I did.

6451. Was any one allowed to attend those committee meetings besides the members of the committee?—I never saw any other gentlemen at one of the meetings during the whole of the time they were in existence.

6452. There would be the members of the committee and the solicitors?—Mr. Learoyd and Mr. Robinson.

6453. By the *Committee.*] They were in addition to the gentlemen?—Yes; to the 13.

6454. Mr. *Hannen.*] Where did these gentlemen hold their meetings?—In what is called the market-room of the "George Hotel;" a room on the right-hand side, before you go into the bar.

6455. At other times, when it was not used by that committee, was that room used for other purposes?—It was.

6456. And all sorts of persons, in fact?—Yes, it was used as a market-room; a dining-room for the hotel on Tuesday; and during the election for the West Riding it was partially used by the West Riding candidates.

6457. By a Committee of Lord Milton and Mr. Beaumont?—Yes; at other times, when we did not use it ourselves as a committee-room, it was used for general purposes, as an enquiry office in connection with the election; we had to pay for it, and consequently, when my committee were not sitting we made use of it.

6458. Was it from time to time crowded with a miscellaneous throng?—Crowded both by friends and enemies, because we had traitors there as well as in other places.

6459. In order to avoid any mistake, I put this question again to you; was this the room in which the committee, when it met, held their meetings?—Always.

6460. Were there any evening meetings of the committee?—Never one, that I can charge my memory with, and I believe that I am correct.

6461. Was it intended to have a committee meeting one evening; was one convened for a Saturday?—I think there was one convened on the Saturday before the election.

6462. Was there great excitement at the time?—Very great excitement.

6463. I believe the meeting was not, in fact, held?—It was not.

6464. What caused the excitement and confusion?—Just at that moment Sir John Ramsden came very prominently through his agents to oppose.

6465. Never mind the cause; was there great excitement and confusion?—Yes.

6466. In consequence of that excitement and confusion was that meeting abandoned?—It was.

6467. By the *Committee.*] That is the evening meeting?—That is the evening meeting of the committee on the Saturday before the election.

6467. Mr. *Hannen.*] During the nomination and polling days were there a great number of persons in and out of that room?—Continuously crowded, in and out.

6469. Who were they?—As I say, they were both friends and opponents.

6470. So far as you knew, or had to do with, was there any restraint imposed on people coming in and out there?—I think not; there might be a door-keeper, but it was more for the purpose of preventing any crowding and any rush than to keep any individual out.

6471. Were the passages and other rooms in the house on those days full of people?—Almost impassable.

6472. By the *Committee.*] The passages were impassable?—Yes.

6473. Mr. *Hannen.*] Were there, or not, some persons excited with drink?—Well, it just partook very much of the nature of all other elections.

6474. Was any business done on those days?—No, except speechifying, or anything of that sort.

6475. That was not in the committee-room, was it?—That would be in the long room, which is called the assembly room, of the "George."

6476. That is not the room you have been speaking of?—No.

6477. Were meetings occasionally held in that assembly room?—Very frequently; general meetings of my supporters.

6478. Were they confined to your supporters?—No.

6479. Were ever your opponents, if they liked to

to come and listen to the speeches, prevented from doing so?—No.

6480. Did they attend?—They did.

6481. That you say was a much larger room; what sort of number would it hold?—Perhaps 200 or 300, or even more than that.

6482. Used this room to be full on these occasions?—Sometimes it was crowded, and at other times not so crowded.

6483. Was any restraint exercised as to the persons who came into the room on those occasions?—No inquiry was made as to any person's politics; but if a man came drunk to the door he was not allowed to come in.

6484. In the early part of May did you commence a personal canvass?—I did.

6485. Did you go on yourself steadily with a personal canvass of all the voters?—I did through 27 districts, and for this reason, that I told my friends that if I was defeated I would have no one to blame but myself; that I would not put a man down for me unless I knew him to be so from my own canvass.

6486 Did you, in fact, keep a record under your own hand?—I did.

6487. What was the result of that canvass?—That I had a clear pledged majority of the whole constituency; the constituency would be, I think, 1980, and I had 1060 pledges.

6488. Was that the number on the register at the election, or are you now speaking of the previous state of the register?—Perhaps it would be 2080; I think I was confusing; there was a registration between 1864 and the time of my canvass, and an addition was made.

6489. By the *Committee.*] Out of 2080, you had 1060 pledged?—Yes, *bonâ fide.*

6490. Mr. *Hannen.*] You mentioned 1060, was that the number pledged ultimately to you? I polled on the occasion something like 1019, and I could have polled, if there had not been disturbance and riot, something like 50 more.

6491. What was the majority of promises that you had reason to anticipate?—I say out of the 2080 on the Electoral List, I had 1060 pledged.

6492. Was the result of your canvass such as to produce a state of perfect satisfaction in your own mind?—Quite so.

6493. As a matter of fact, was there under your own observation a great disturbance and interference?—Very great disturbance.

6494. By the *Committee.*] When?—What I call the riot and row commenced about two o'clock on the polling day; they tried to pull me out of the cab.

6495. Mr. *Hannen.*] At two o'clock was your majority 239?—I know it was something more at two o'clock than it was at the close, and it was 232 at the close.

6496. Did you see persons who had promised to vote for you, interfered with by other persons?—Not on the polling day; I did on the previous day, on the nomination day.

6497. By the *Committee.*] You saw some of your supporters interfered with on the nomination day?—Yes, I did.

6498. Mr. *Hannen.*] I heard the word "riot" drop from you; was the Riot Act in fact, read?—I did not hear it read.

6499. Did the troops come in the course of the day?—I was with the magistrates when they were conferring together; they were sent for.

6500. They did not arrive, I believe, until after the poll was closed?—I believe they did not.

6501. By the *Committee.*] Where were they sent from?—Some were in Lancashire.

6502. No troops in the neighbourhood?—No; we have no accommodation for them.

6503. Mr. *Hannen.*] Was it necessary to call out the police in strong forces?—The police were called out in increased numbers, and Colonel Cobb was sent for to take the responsibility and the command of them.

6504. On the day when the declaration of the poll was to take place, did some of your supporters desire to have a public procession?—Yes, our opponents generally have shown their triumph in that way, and my friends wanted to do the same.

6505. By the *Committee.*] That was on the declaration day?—Yes, I knew the excited state of the district, and I advised very strongly against it with what I considered my leading friends.

6506. Mr. *Hannen.*] When it was mentioned did you strongly object to it?—I did.

6507. On the ground of public quiet?—Yes.

6508. I believe you expressed your desire to pour oil on the troubled waters?—I did, and I have done so ever since.

6509. Were you desirous of keeping things quiet?—Most assuredly; it was my duty to do so.

6510. When you requested them to give up the public procession, tell us what occurred?—"If my own election depends upon it," I said, "instead of having this foolish thing, and continuing the bad feeling which at present exists, come back and drink my health in a glass of champagne," and they did so, and that is an end of that matter.

6511. Had you ever, until that minute, suggested it, or heard it suggested?—I never either suggested it or heard it suggested, neither had the thought ever flashed across my mind; it was as instantaneous as I am speaking to you now.

6512. By the *Committee.*] When did you say that?—Just before going on to the hustings for the declaration.

6513. Mr. *Hannen.*] Was it in the assembly room?—It was.

6514. To the people who had come there?—Ready to go in procession to the hustings to hear the declaration.

6515. Is it true that occurred, or anything of the kind occurred on the hustings?—Not a word of truth in it; it is as palpable a lie as ever was uttered. I left immediately, I did not even take a glass with them, and during the time that was going on, the sealing up of the return took place.

6516. Was the returning officer also there?—Yes.

6517. Did he have a glass of champagne?—I am almost certain that he would.

6518. Were there non-electors as well as electors there?—I am sure of it.

6519. Were there any opponents?—I did not see any, but very likely they would straggle in. As soon as it is over they like something good on both sides.

6520. Were they all standing up together?—All standing up.

6521. Did they stop and booze, or have a glass and go?—Merely a glass, and then off they went.

6522. I suppose they were enthusiastic?—Yes.

6523. There was no speechifying?—No; my friends were enthusiastic all throughout.

6524. Having had a glass with them——?—I did not have one.

6525. They having had a glass, as you have described,

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described, did you then go away?—Yes, and Mr. Learoyd, and one of my chairmen, walked up to Glead Hall (my own private residence), and had a little cold luncheon with me that day.

6526. Now, I will take you to the individual cases in which your name has been mixed up; with regard to Richardson's case, do you know a person of the name of Charles William Mitchell?—Yes.

6527. Is it true that Mitchell ever canvassed with you?—Never a yard, nor any single individual. I do not recollect seeing Mitchell during the whole of the election.

6528. Did he on any occasion meet you when you got out of a cab for the purpose of canvassing?—If he did it was when I did not see him.

6529. Did you ever see him?—No.

6530. Were you ever aware of his having been with you, or near you?—He never was with me, and I never saw him near me, and I never went canvassing with him at all.

6531. Had he anything to do with your election, or so far as you know, was he in any way employed concerning it?—Nothing at all, with regard to Wrigley, he was mentioned as being present and canvassing with me. He never canvassed a yard with me in his life during that election.

6532. Wrigley never canvassed with you at all?—Never at all.

6533. By the *Committee.*] Wrigley never canvassed with you on any day during the election?—No; although he was willing to support me, I was not Conservative enough for him to be warmly interested in my favour.

6534. Mr. *Hannen.*] Now, I come to the case of William Burton, about the rifle sheds; give the Committee your own account of what occurred?—The only thing that ever did occur in connection with the election was, that one morning Burton came down to my house; he lives about 200 yards from where I live, at the junction of the roads. He came down to my house before breakfast, and wanted me to use my influence in getting him the rifle sheds.

6535. By the *Committee.*] Do you recollect when that was?—It was just previously to the election. I never spoke to him about his vote; he never said a word about it himself. I told him that everything connected with the rifle volunteers was managed by a committee of officers, and I referred him to Mr. Battye, our secretary, to whom he must make any application that he required, and that I could be no further party in it.

6536. Is that absolutely all that occurred?—That is all that ever passed between Burton and myself.

6537. I understand you to say that there was no reference made to his vote or to his being a voter?—None whatever; I never asked for his vote except once in his own house.

6538. Was that in the ordinary course of your canvassing?—Yes. If anyone told me, during the election, that he was going to vote against me, I never asked him twice.

6539. Was that your invariable practice?—Yes; if anyone told me he was going to vote against me, I said, "You have a right to vote as you please."

6540. Is it true that you ever in any way, directly or indirectly, offered that man any inducement for his vote?—Not a fraction in any shape or form whatever, or in any way.

6541. Or to anyone on his behalf?—Or to anyone on his behalf. I heard the evidence of that Wilkinson. I canvassed him at his own house, and I said to Wilkinson, "How is Burton going to vote?" Wilkinson was pledged to me; he says, "I do not know but he will be for you"; I never said another word to him.

6542. Is that all that occurred?—That is all that occurred with regard to Burton and the rifle sheds, either from one source or another.

6543. Do you know anything whatever of the man Deane?—I never saw him, to my knowledge, until I saw him in this chair.

6544. Do you remember an open-air meeting at Hill House?—Yes; I had all my meetings after the first in the open air, because then they could not cram me in the room; I had fairer play there.

6545. Was it largely attended?—Yes, for a district meeting.

6546. Was it largely attended by your opponents?—Very largely indeed. I am not certain whether they did not pass a vote against me; I know they did at many of those meetings.

6547. What was the effect of the presence of your opponents on the meeting?—They interrupted me very much.

6548. Were you able to proceed with the meeting?—It was by dint of determination that I did, and amidst very great uproar.

6549. Did your opponents get possession of the platform?—I spoke from a window, and they got on a sort of lorry underneath, from whence I had great interruption.

6550. Did they bring that up underneath the window?—It was there.

6551. Was it occupied by your opponents?—Yes.

6552. Were you in the lorry?—I was speaking from a window above.

6553. And the lorry was brought up by other persons?—Yes; I do not know who it was brought by.

6554. From that your opponents were speaking?—Yes.

6555. Is it true that either at that meeting, or at any other meeting with which you had anything to do, any persons were employed for the purpose of interfering?—Not to my knowledge.

6556. Were any persons, to your knowledge, ever employed to shout for you or against your opponents in any way to disturb the meeting?—I do not recollect anything of the kind. I know there was a great deal of shouting on both sides.

6557. Did you ever authorise any such thing being done?—Never.

6558. Or hear of its having been done until you heard of it in this committee-room?—No.

6559. Do you know Joseph Hellawell?—I do.

6560. I do not know whether he voted for you?—I believe he did; and what makes me say so is, that he felt interested in my favour.

6561. Beyond voting for you, had he any connection whatever with you or with your election?—Well, the only connection we had was this, that Mr. Learoyd and myself had taken a cab, and were going into South-street, Spring Grove-street, and all that district.

6562. Is that the poorer district; the small houses?—Yes; the middle district.

6563. Just over the 10*l.*?—Yes, some of them, and some of them not. As we were proceeding into that district we saw Hellawell there; when we got out of the cab he joined us. I had with

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me my canvassing-book, the same as I had everywhere else where I went, and being a stranger in the district, and not knowing all the residences of the voters, I asked him where some of them lived. In my presence he never canvassed a voter, and never said a word to anyone; I never allowed anyone to do that when I was present.

6564. Is it true that he came in the cab with you?—No.

6565. Is it true that he, upon any occasion whatever, was in a cab with you?—I do not recollect his being in a cab with me during the whole election.

6566. Was he on any other occasion with you except on that one occasion?—He might be at some of those large meetings.

6567. I mean in your canvassing?—No.

6568. Was it by appointment, or by accident, that you met him there?—Purely by accident.

6569. Did you canvass James Fawcett in the ordinary course of your canvass?—I believe I took him the very first day that I went out in one of my first districts.

6570. Was he one of those who promised to vote for you?—I cannot speak to it.

6571. Did you know, in fact, he had married an illegitimate daughter of your brother?—Until I came out of the room, and until after he had pledged me his vote, I never knew he had married that young woman. I only knew it when William Henry Aston, one of my committee, when I came out, said, "Do you know who that man married"? I said, "No," and he told me.

6572. By Mr. *Temple*.] When was that?—It was there and then.

6573. Out of what room?—Out of Fawcett's shop.

6574. Mr. *Hannen*.] When did you say that was?—It was the first time I turned out canvassing. It was on the 15th of May.

6575. By the *Committee*.] Who told you the circumstance?—Mr. William Henry Aston, one of my committee, who was with me.

6576. Do you remember whether Fawcett pledged?—He pledged me when I canvassed him. I had not canvassed him before.

6577. Mr. *Hannen*.] Did you know at all of your brother having sent anything to his daughter?—I never heard of it till I heard of it in this room.

6578. Has any conversation ever passed between you and your brother on such a subject?—Not till this inquiry.

6579. Do you remember seeing William Hoyle at all?—Yes.

6580. When was it you saw him?—I saw him perhaps four or five weeks before the election. I canvassed him.

6581. Did you see him on the day of the nomination?—I did.

6582. Where did you see him?—He was brought down across St. George's Square by a great mob, several hundred persons, with his clothes nearly torn off his back, and they were in a very excited state.

6583. Tell us what occurred?—If I am not mistaken, several policemen were guarding him, and they had brought him down to the "George," and into the "George" he went, and I saw nothing more of him.

6584. Did you speak to him at all?—I do not recollect doing so; if I had been near him, very probably I should have done so, but I do not recollect. I had heard of their having him bottled at the top of some house.

6585. Did you say to him, "I never see my friends lost"?—No, nothing of the kind. There was nothing to call for such a remark.

6586. Beyond the fact of his being brought there by the policemen and the crowd, did anything at all pass between you?—Nothing.

6587. Mr. James Waller has been mentioned; was he in any way connected with you?—I believe he voted for me.

6588. Had you any communication or connexion with him?—None whatever.

6589. Throughout the whole of the election?—No. I do not know whether it is proper for me to mention that I have received letters from him since the election, and have destroyed them.

6590. Have you, since the election, had a letter from Hoyle?—Two.

6591. And you have destroyed them?—Yes.

6592. Were they begging letters?

Mr. *Temple* objected to the question.

The *Committee* allowed the objection.

6593. Mr. *Hannen*.] Did you send him any letter in return?—I neither sent him letters nor money.

6594. By the *Committee*.] You did not answer the letters?—No, I did not.

6595. Mr. *Hannen*.] Did you canvass James Brook?—I did.

6596. Who was with you?—Mr. Jere. Kaye, one of my chairmen. He was in bed. I saw him.

6597. Was he very ill?—He was very ill.

6598. What answer did he give you?—He had signed the requisition to me. He was always warmly in my support, and he told me that he hoped he might be spared to live, in order to vote for me; that is just what he said.

6599. By the *Committee*.] He promised you before?—He signed the requisition.

6600. He promised you immediately?—He did immediately.

6601. Mr. *Hannen*.] Is that all that passed?—Between us.

6602. You never offered him anything?—No. In the state he was in when I saw him, if it had struck me when I got home (and it might have been as indiscreet an act as at the "George"), I should have sent to him, but I never thought of it in the hurry and bustle.

6603. With regard to these non-electors at Sheepridge, were there any non-electors' committees?—None on my part, as far as I am concerned.

6604. You have no knowledge whatever of there being such meetings?—None. The only thing I know is, that these meetings in the district were called by placard, that Colonel Crosland would address the electors in such a place, from such a place, at such a date.

6605. When did you first hear of there having been non-electors' committees or meetings, did you hear that before this inquiry?—I have not heard anything of them except what has been said here.

6606. Did you, in any way, address or sanction them?—Certainly not. It was only at the last election that many votes were struck off on account of them, and I recollected that strongly.

6607. Did you know anything whatever of these people from Sheepridge, who have been here, Tillotson?—No.

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6608. Or Taylor, or Armitage?—Not one of them.

6609. Did you ever hear of them before they came here?—I had heard of them before they came here as being in some way or other tried to be mixed up in this case by my opponents.

6610. That is since this inquiry commenced?—Yes.

6611. Before that you had never heard of them?—No.

6612. Did you ever, in any way, authorise or sanction their doing anything whatever on your behalf?—I did not.

6613. With regard to Job Brooke Richardson, did you ever authorise him to do anything whatever for you?—Never.

6614. I believe he is one of those who are dead?—He is dead, I believe.

6615. Did you ever know of his doing anything?—No.

6616. Did you ever provide, or have you in any way sanctioned the payment of one single farthing in connection with these non-electors?—I have not; I felt proud of my constituents, that they never asked me for sixpence, or even to pay for a glass of ale or anything else during the whole of my canvass.

6617. I believe this man Richardson was not a voter?—I think not. I only say that, because I should have come in contact with him if he had been.

6618. Was Walter Clayton in any way connected with your committee?—No.

6619. Was he a voter?—No.

6620. Was he in any way connected with you or your committee?—No.

6621. Or in any way employed by you or to your knowledge?—No.

6622. With regard to Joshua Thomas, what do you say; do you give the same answer?—The same answer. I might meet Joshua Thomas, but I do not recollect it, and if I did, it would be in the casual way that I met Hellawell.

6623. Were these persons ever present at any meeting of your committee?—Never.

6624. Or in the room at all when committees were held, or the business of your election was going on?—No.

6625. Did you canvass James Bawtry among the rest?—I did.

6626. Alone, or with any one?—I believe with Mr. Jere Kay.

6627. Do you remember whether Mr. Learoyd was with you?—It was at Mr. Hassell's I canvassed him.

6628. Was Mr. Learoyd with you?—I think he was.

6629. Is Mr. Hassell his employer?—Yes, in Leeds-road.

6630. Tell us what occurred?—I did not go into the works. Mr. Hassell sent for him down. Mr. Hassell said, "I have not sent for you to influence your vote in any shape or form whatever; Colonel Crosland has come to see you, and if you will just give him your answer, it will be satisfactory to me." He told me he would vote for me, and that he would come with his master to poll.

6631. Did you canvass him again?—On the evening of the nomination-day.

6632. Were you alone then, or with anyone?—Mr. Thomas Webb was with me, I was coming past Bawtry's house, and I heard a great row inside, as if something was going on.

6633. By the *Committee.*] That was on a different occasion?—No, the evening of the nomination. I went in and I saw that he was in the hands of my enemies. I says, "You pledged your vote for me, Bawtry, you will be a man of your word." He says, "I have changed my mind." I says, "I have done with you, and I have not another word to say." That is just what I did with everybody.

6634. Mr. *Hannen.*] Was that the answer you gave to those persons who told you they did not intend to vote for you?—I told them myself.

6635. Was that the answer you gave to those persons who told you they had changed their minds?—Yes.

6636. Is it true that you said, "If you do," or something of that sort, "you are done"?—I never said such a word to Bawtry or any other elector during the whole of the canvass.

6637. Is it true that you said, "It will be the worse for you"?—No such thing.

6638. Or anything whatever of the kind?—Nothing.

6639. Neither then nor on any other occasion did you utter any threat or menace whatever?—No, not to any elector.

6640. In the latter part of the day you were pretty confident of winning?—I was always confident before I began.

6641. Did any of the electors tell you they had changed their minds?—Several of the electors came to me, several parties who were threatened with serious consequences came to me, and I told them, sooner than they should be injured in the world, to go against me; and several of them did so at my recommendation; and several did not vote at all, because I could do without them.

6642. Was that before the poll?—Before the poll.

6643. If you had ever had any doubt of your success, and you could have obtained your return by the expenditure of a shilling illegally, would you have done it?—

Mr. *Temple* objected to the question.

The *Chairman* suggested that the question be put directly.

6644. Mr. *Hannen.*] Did you knowingly sanction one single penny of illegal expenditure?—Not from the beginning of my receiving the requisition to the finish of the poll.

6645. Would you have done it?—No, I would not.

6646. Or any undue influence?—I did not, at all events.

6647. By the *Committee.*] You did not expend a single shilling for any illegal purpose?—I did not.

6648. Mr. *Hannen.*] Did you openly state that those were the principles on which you intended to conduct the election?—On several occasions.

Cross-examined by Mr. *Temple.*

6649. What was it you on several occasions stated?—I thought you would not let me tell you that.

6650. You have just answered that question?—That if spending a shilling illegally would secure my election, I would not stand as their representative, if elected.

6651. I did

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6651. I did not object to your stating what you actually said; but what I objected to was the feelings of your own mind. You actually said that if spending a shilling illegally would gain your election, you would not do it?—No, nor sanction it.

6652. In fact, you stood on purity principles?—Yes.

6653. And you avowed that, did you?—Yes.

6654. Were you the chairman at Mr. Stansfield's election committee?—No.

6655. Had you anything to do with Mr. Stansfield's election?—Yes.

6656. By the *Committee.*] When was Mr. Stansfield's election?—In 1852. He was turned out on petition.

6657. Mr. *Temple.*] You were vice-chairman, were you?—No.

6658. Were you neither chairman nor vice-chairman?—No.

6659. Were you one of the committee?—Yes.

6660. There was a resolution passed then, was there not, that they were to stand on purity principles?—No; unfortunately there was not.

6661. Was there not a resolution to that effect passed?—I will tell you the resolution.

6662. In your presence was there not a resolution passed that the election was to go on purity principles?—I do not know.

6663. Do not you know?—No.

6664. Did you never hear that there was such a determination?—If I did it has escaped my mind. Very probably it would be so.

6665. And yet Mr. Stansfield was unseated?—He was.

6666. Now let me come to this occasion when you called at Bawtry's house; he had previously promised to vote for you?—He had.

6667. And that was in the presence of his master, Mr. Hassell?—It was; and either Mr. Learoyd or Mr. Kaye.

6668. Mr. Hassell was a very strong and zealous supporter of yours, I believe, was he not?—I believe he was; he voted for me.

6669. Mr. Hassell said to Bawtry, "Now mind, I do not want to influence you; vote as you think proper"?—I think something of that sort was said.

6670. After having said that in the presence of Mr. Hassell, he promised to vote for you?—He did.

6671. I take for granted Mr. Hassell was not present in the room at Bawtry's house when you saw him the second time?—Mr. Hassell was not present.

6672. I have understood you to say that Mr. Hassell was Bawtry's employer?—Yes, he was.

6673. When you went to Bawtry's house you say that you found him in the hands of your enemies?—I did.

6674. Do you mean that you found several persons in that house who were supporters of Mr. Leatham?—I did.

6675. That is what you mean?—That is what I mean.

6676. There were several persons in that room who were supporters of Mr. Leatham?—Yes.

6677. And that is what you mean when you say that he was in the hands of your enemies?—I mean political enemies.

6678. How came you, when you heard the noise in his house, to go into the house?—It was very natural. I judged what the row was about.

6679. You suspected that there were some of your adversaries' voters there?—I thought there was something wrong.

6680. You suspected there were some of your adversaries' voters there?—I told you what I suspected.

6681. Did you not suspect there were some of your adversaries' voters there?—No.

6682. Did you suspect there were some of your adversaries there?—I did.

6683. How many people do you suppose were in the room?—Oh, it was crammed.

6684. A small room, I dare say?—A small room.

6685. Did you see a man of the name of Dickenson there?—I do not recollect having seen him; at least I did not know anyone of that name.

6686. Have you seen Dickenson since?—Yes.

6687. Was he not in the room?—Not to my knowledge.

6688. You do not remember?—I do not.

6689. Do you mean that you do not remember whether he was in the room or not?—I do not.

6690. When he said, "I have changed my mind," you simply said, "I have done with you"?—"Then I have done with you," and I went away.

6691. You are quite sure you did not say, "Then you have done for yourself"?—Certainly not, because I had no reason for saying such a thing, and I had no power for carrying it into effect, if I had.

6692. Not that he would rue it?—Not at all.

6693. Did you hear anybody say, "Well, never mind; I will go round and collect sixpences for you"?—I never heard such a thing.

6694. Can you undertake to swear that no such thing was said?—No; I never heard it.

6695. How long do you suppose you were in the room altogether?—Not five minutes.

6696. Did you not tell Bawtry that he must go with you?—No; I should not have known what to have done with him if I had.

6697. You are quite sure, Captain Crosland, that you did not inadvertently use the words that have been imputed to you?—I never used them at all.

6698. Without considering their effect?—I never did anything of the kind.

6699. Did you hear any person say, "For shame, Captain Crosland"?—No.

6700. Did not you hear the words, "For shame" used at all?—I did not.

6701. You say that you originally appointed six as your Committee, with power to add to their number, and they added seven?—Yes.

6702. Just let me see if I have taken this down correctly, "The business of the election was to be conducted by them exclusively"; is that accurately taken down?—Yes.

6703. That is to say, you gave them full and plenary power?—I left it in their hands, and what they did I held myself responsible for.

6704. You know Captain Tom Learoyd, I suppose?—I do.

6705. Do you know that he was very actively engaged for you?—I do not know who employed him. I know that he was a warm friend of mine.

6706. Do you know his handwriting?—No.

6707. Do you happen to know whether he was employed by your committee, or any of them, to do anything?—I do not.

6708. I suppose I must have got this down inaccurately from one of your subsequent answers; I took

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I took down that no person, except the committee, Mr. Robinson and Mr. Nehemiah Learoyd were admitted into the committee-room?—That is correct; at the meetings of the committee.

6709. During the time the committee were sitting as a committee, no persons were admitted except the members of the committee and those two gentlemen?—No.

6710. You said that it was used for the West Riding election committee-room; but the West Riding election did not take place until afterwards?—They came to pay their respects to the electors in Huddersfield, and made their speeches on that occasion.

6711. This room was not used by them for the county elections until after the polling day at Huddersfield, was it?—If I am right they had a dinner.

6712. That is the question, whether you are right?—I believe they dined at the "George Hotel."

6713. You believe there was a dinner at the "George Hotel"?—Yes; and the "George Hotel" was crowded with their supporters on the day they visited Huddersfield.

6714. But that was before the polling-day at Huddersfield?—I tell you it was the Tuesday before.

6715. Were they in your committee-room at all?—I should say they were in every room in the house.

6716. If you are right?—I was not in that day, but I saw many of them going in and out.

6717. If I understand you, on the day they made their speeches, there was a dinner at the "George"?—I believe I am right.

6718. But not used as a committee-room for them until after the Huddersfield polling day?—I think not; it was used as a dining-room for the "George Hotel," on the Tuesday always.

6719. Had you not a conversation with Wilkinson about those sheds for Burton?—No.

6720. No conversation at all?—No.

6721. Do you mean to state that your recollection is sufficiently perfect to enable you to say positively that you never had a conversation with Wilkinson about the sheds for Burton?—I do not recollect it; if I had, it would be very casual and something to this effect——

6722. I do not quite understand that?—Then I will state that I had not any conversation with Wilkinson about him at all.

6723. Did he not say that Burton was a cripple, and those sheds might be a livelihood to him?—No.

6724. Had you not been asking him how Burton was likely to vote?—Yes, I did, and he told me.

6725. But at the time he told you how he would be likely to vote, try and recollect yourself; I do not suppose for a moment you would intentionally state what you know to be incorrect, but just recollect yourself and tell me this: at the time you asked him how Burton would vote, can you take upon yourself to say positively that the sheds were not mentioned?—I do not recollect their being mentioned.

6726. In that conversation, might that have been mentioned and you have forgotten it?—Well, memories are treacherous, but I do not recollect it.

6727. Is yours treacherous?—Sometimes it is.

6728. May it have happened, that at the time you asked how Burton was likely to vote, he mentioned the sheds?—I do not recollect it; I do not believe it; and, if he did, I have forgotten it.

6729. That is pretty much the same as not recollecting it?—Well.

6730. Do you not recollect positively it did occur?—If I was called upon to take my oath, I should swear that it did not; but as I am not, I tell you to the best of my recollection it did not; I will not go further than that.

Re-examined by Mr. *Waddy*.

6731. At all events, does your memory serve you to this extent? did you make any promise to him in connection with his vote?—Most assuredly not.

6732. Are you prepared to say whether the rifle sheds and the vote were ever connected together in any shape or manner at all?—Never connected at all.

6733. Now, about the use of this committee-room for Lord Milton's purposes at the time of the election and for some days before, were there bills up at the "George Hotel," "Lord Milton's and Mr. Beaumont's committee-room"?—I think so.

6734. Can you tell me whether those bills were on some room door, or on the front door?—They would be cut on the front.

6735. Facing St. George's-square?—Facing St. George's-square, in the front of that room in which our committee sat.

Mr. Thomas Rymer Webb was called in; and, having been sworn, was Examined by Mr. *Waddy*, as follows:

Mr. *T. R. Webb*.

6736. I believe you are a Merchant at Huddersfield?—Yes.

6737. Did you accompany Colonel Crosland to the house of a man called Bawtry?—I did.

6738. What day was that?—The afternoon of the nomination day.

6739. How was it you came to be there, or to go with Colonel Crosland?—He was going down that way and I simply accompanied him as a friend.

6740. When you were just near Bawtry's house, did you hear any particular noise?—There were a number of people in Bawtry's house; his door was open; there was a noise.

6741. How was it you came to enter Bawtry's house at all?—I went in because Colonel Crosland went in; I was with him and I followed him.

6742. Do you remember what Colonel Crosland said to Bawtry?—I could not tell you the exact words he used; he spoke to him about having promised his vote.

6743. Tell me as near as you can what he said; did you hear Colonel Crosland make use of this expression, "If you won't vote for me you are done"?—He did not.

6744. Did he say, "If you won't vote for me you are done"; or "If you won't vote for me it will be worse for you"?—Certainly not.

6745. Were you a voter at the election?—I did not vote.

6746. Can

6746. Can you say what Colonel Crosland did say to Bawtry?—I do not think he said anything particular of that description unless it was, "I have done," meaning, at the finish, that he had nothing more to do, and we went away.

6747. By the *Committee.*] Did he say, "I've done with you"?—(*No answer.*)

6748. The conversation made no impression upon you?—I am quite certain there was no threat used.

6749. Mr. *Waddy.*] Did Colonel Crosland seem very excited about it?—No.

6750. Did he shake his fist at him?—No; I have seen him shake his fist, but there was nothing of that sort on this occasion. He was perfectly calm.

Cross-examined by Mr. *Temple.*

6751. You have seen him shake his fist?—Yes.

6752. Is it a habit of his?—I have known him do it years ago, under great excitement.

6753. Latterly he has discontinued it?—I have not seen him do it for years.

6754. He never shook his fist at you, I dare say?—I believe his fist was once near my face.

6755. You say he was going down that way, and you simply accompanied him; what way was he going down?—Going down Old-street.

6756. Was he going down to Bawtry; did you know he was going to Bawtry's?—Not particularly.

6757. Did he mention Bawtry to you as one person he was going to?—No; he did not mention anybody to me.

6758. You say, "I could not tell you the exact words he used;" how do you know he did not say, "If you won't vote for me you are done"?—Because if he had used any such expression, I could not have helped being struck with it.

6759. You will not swear that he said, "Then I've done?"—I would not swear to any particular words that he did say.

6760. Then you cannot swear that he said, "Then I've done?"—I tell you I would not swear to any particular words that he did say.

6761. Did you hear any man in the room say, "For shame!"?—I have no recollection of anything of that kind.

6762. Did you hear any persons say about collecting sixpences?—No.

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6763. Where were you standing, I mean as regards Colonel Crosland; were you at his elbow, or at a distance?—I was not far from him.

6764. Were there several persons between you and him?—I do not suppose particularly between me and him; there were several parties in the room.

6765. Were there several persons standing between you and him at the time the conversation, whatever it was, took place?—No, I think not.

6766. Then was it an open space between you and him?—It was a large room altogether.

6767. Was there an open space between you and him; were there any persons standing between you and him, or was it an open space?—I could not say particularly.

6768. You do not remember that?—I know there were a number of people; there might have been at one time persons between him and me, or I might have been in another part of the room.

6769. Then you cannot say where you were standing when the conversation, whatever it was, took place?—I know something like where I stood; I was a little way inside the house.

6770. That is not what I asked you?—You said that I could not say where I stood.

6771. What I am asking is this: At the time Colonel Crosland said what he did say, were there any persons between you and Colonel Crosland?—I do not think there were.

6772. Then you believe it was an open space?—Yes, I do.

6773. And the room was crowded?—I did not say the room was crowded.

6774. There were a great many people in it?—I said there were a few people in it.

Cross-examined by Mr. *Rodwell.*

6775. You did not take particular notice of what took place; but you say that if there had been any threat, it would have attracted your attention?—Yes; and I know that no threat was used, because Colonel Crosland was perfectly calm, and I was struck with his gentlemanly bearing throughout the proceedings.

6776. I believe you did not vote yourself?—I did not.

6777. Although you had a vote?—I had a vote.

Mr. JOHN WOODHEAD CROSLAND was called in; and, having been sworn, was Examined by Mr. *Hannen* as follows:

Mr. *J. W. Crosland.*

6778. ARE you a brother and partner of Colonel Crosland, the sitting Member?—Yes.

6779. How long have you been married?—Twenty-two years.

6780. Before you were married, when you were about 19, had you an illegitimate child?—Yes.

6781. Who is now married to James Fawcett?—Yes.

6782. Have you from time to time made presents to your daughter?—Yes.

6783. Did you know Fawcett personally?—No.

6784. Had you ever seen him?—No.

6785. Have you ever communicated with him in any way?—No.

6786. During the year 1865 did you receive any application from your daughter, Mrs. Fawcett?—Yes.

6787. Have you got those letters?—No.

6788. Are they destroyed?—Yes.

6789. What was in them?—They were in difficulties in their business, and requested assistance.

6790. You say you did not know her husband, and had not seen him, or had any communication with him; did you know he was a voter?—No, not till last Saturday week.

6791. By the *Committee.*] You did not know that he was a voter till then?—No.

6792. Mr. *Hannen.*] In answer to those applications for assistance, did you send her some money?—I did.

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6793. You sent it in an envelope, we have been told, without any letter?—I did.

6794. Is that the manner in which you had on previous occasions sent money to her?—On all occasions.

6795. After the answer you have given, I need scarcely ask you whether the sending of that money had anything on earth to do with the election?—It had not.

6796. Did you inform your brother anything about this circumstance?—No.

6797. Is it the fact that your wife has been subpœnaed to come here?—Yes.

6798. I need scarcely ask whether your wife had anything to do with it?—No.

Cross-examined by Mr. *Temple.*

6799. Were you examined as a witness before the Committee relating to Mr. Stansfield's election?—Yes.

6800. Did you then state that you had paid a sum of 800 *l.* for publicans' bills, and that after you had paid it, you burnt all the accounts?—It is quite true.

6801. You stated that before the Committee?—Yes.

6802. You say that you always sent money to your daughter in envelopes?—Yes.

6803. And without any letter?—Yes.

6804. How long before this election had you sent her any money?—In 1864.

6805. What part of 1864?—It would be about the middle or latter part of the year.

6806. How much did you send her?—It would be about 20 *l.*

6807. What part of 1865 was it that you had those letters from your daughter?—It would be in March and May, and I think afterwards, but I am not certain.

6808. Are you quite sure that it was not at an earlier period than that?—I think not; I am speaking from memory.

6809. Did you never write any letter to her?—No; I answered that before.

6810. Did you ever see her, to ascertain if she got it?—No.

6811. You put it in the envelope, and trusted to chance of its arriving safe?—I put it in the post.

6812. You never ascertained whether she had received it safely or not?—No.

6813. On how many occasions do you suppose you have sent her money in that way?—Six.

6814. Were any of those six occasions since the election?—I am not certain whether one was or not.

6815. How many can you speak to as having happened before the election?—I can speak to five.

6816. Five happened before the election?—Yes.

6817. The occasion we are speaking of was one?—I said I sent six times.

6818. One time, you think, after the election, and five times before?—Yes.

6819. The first sum you sent was 50 *l.*, was it?—No.

6820. How much?—£. 10.

6821. I am speaking now of the 5th of May 1865?—It would be 50 *l.* in May, I believe.

6822. How many days after that was it you sent her more?—I cannot tell; it might be a fortnight or three weeks.

6823. Then since the election you have sent to her once, and once only?—Once only.

GEORGE BRIGHOUSE was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

G. Brighouse.

6824. ARE you a decorator at Huddersfield?—Yes.

6825. Do you recollect the last election?—Yes.

6826. You voted for Colonel Crosland?—Yes.

6227. You know a house kept by a man of the name of Tinker?—I have been there once.

6828. Was that on the occasion of your going with Mr. Learoyd on the polling day?—Yes.

6829. What time did you go?—From one to two; but I cannot state to a minute.

6830. How did you go?—In a phaeton.

6831. With one or two others, I believe?—Yes.

6832. When you got there, what state was the house in; what was going on; were there many people about?—There were a great many outside; there were not many when we went in at first, but they followed us in; in half a minute the house would be full.

6833. Did you see Tinker?—Yes.

6834. Did you see any private conversation between Mr. Learoyd and Tinker?—No.

6835. Were you with Mr. Learoyd, or close to him, the whole of the time he was there?—Yes; I do not think I should be more than a yard and a-half from him at the very furthest.

6836. Until he went away?—Yes.

6837. How came you to go to Tinker's?—I happened to be close to the "George," and Mr. Learoyd was going, and he asked me, and perhaps one or two more, I do not know how many, and I went with him; I did not know where we were going to at the time.

6838. By the *Committee.*] Then you were not more than a yard and a-half from Mr. Learoyd all the time?—I do not think as much as that.

6839. All the time you were in the house?—All the time.

6840. You swear that?—Yes, I think I can swear that.

6841. Mr. *Rodwell.*] Did you hear Mr. Learoyd order a gallon of ale?—No, I did not.

6842. Did you hear anything said to him about ale?—Yes.

6843. State what that was?—The people in the room asked Mr. Learoyd to pay for ale.

6844. And what did he say?—He said that he would not pay one penny.

6845. Did you see anyone catch hold of him, and try to hold him?—There was no particular holding, there was hustling in the place.

6846. What did you hear Mr. Learoyd say to Tinker?—He asked him to go and vote.

6847. Were you near enough to Mr. Learoyd and to Tinker to have seen Mr. Learoyd put 7 *l.* into his hand, or any other money, if he had done so?—I was quite near enough, if Mr. Learoyd had done so.

6848. You did not see Mr. Learoyd do so?—No, I did not see any money at all.

6849. Could he have done so, to the best of your belief and judgment, without your seeing it?—No,

—No, I do not see how he could; I do not think it is possible.

6850. Could he have done so, if he did so, without many people seeing him?—No; at least from half-a-score to a score of people must have seen all that took place.

6851. Do you know Samuel Fox Wilson?—No, I do not.

Cross-examined by Mr. *Temple.*

6852. You say there were not many people in the house when you first went in?—Not very many.

6853. When you first went in, what room did you go into?—The back room; we passed one room in front.

6854. Where there many people in that back room when you went in?—No.

6855. Where there any?—I cannot swear there were not many.

6856. I ask you whether there were any?—I do not know; I cannot swear that.

6857. You cannot swear whether the room was empty or not?—I know there were not many people in it.

6858. Can you swear whether it was empty or not?—No, I cannot.

6859. You said that shortly afterwards a great number followed you in?—They did.

6860. In what room was it that Mr. Learoyd asked Tinker for his vote?—In the back room in the first place.

6861. Had he called for Tinker to go into the room with him?—No.

6862. Did Tinker go into the room to him?—I think we all went in together, as it were.

6863. Did he ask Tinker to go into the room with him?—I cannot tell; we met him somehow.

6864. So that whether he spoke to Tinker, and asked Tinker to go into the room with him or not, you do not know?—We all went into the room together; there were half-a-dozen of us.

6865. My question is this: Are you able to say whether he asked Tinker to go into the room with him or not?—I do not think he did.

6866. Are you able to say?—I do not think he did.

6867. Are you able to swear one way or the other; can you tell whether you observed sufficiently or not, to enable you to swear?—I do not remember it.

6868. That is as far as you will go?—I should not like to swear.

6869. That is as far as you will go?—I should not like to swear to anything that I am not positive about.

6870. Then you are not positive whether you saw him speak to Tinker or not before he went into the room?—It is a public passage; the passage goes from the front door to the back room, and we never went out of that passage until we got into the room.

6871. Then, whether he asked Tinker to go into the room with him or not, you are not positive?—I do not think he did.

6872. Am I to take it that you are not positive?—If I were bound to swear, I should swear that he never did ask him.

6873. You are bound to swear only what you are positive of; are you positive whether he did or not?—I think he did not; I do not see that it is possible he could.

6874. That is reasoning?—It is not reasoning; I think I should have heard it.

6875. When you were in the room, was it then he asked Tinker to vote for him?—It was.

6876. Had people come into the room then?—Yes.

6877. Then he did not ask him to vote for him until persons had come into the room?—When he asked him for his vote there were a great many persons.

6878. Then he did not ask him, according to your account, for his vote until persons had come into the room?—No.

6879. What answer did Tinker give?—He said he would come directly; he said he would come in the afternoon.

6880. He at once said he would give his vote?—He said so.

6881. On being asked?—I do not remember the first words, but I swear that he said he would come and vote.

6882. Are you sure he did not say that he intended to vote for the other side if he voted at all?—I am positive he did not say so in my hearing.

6883. Was that the only time Mr. Learoyd and he were going into that room?—No.

6884. Did Mr. Learoyd then go out of the room and get into a gig and drive away?—No.

6885. What did they do?—They had a little conversation in the passage.

6886. Then he asked him first of all in the room?—Yes.

6887. Then Mr. Learoyd did not go immediately out of the room, and go away, but they went into the passage?—Yes, but the landlord asked Mr. Learoyd to go out; there were so many people about we could not move in the place.

6888. Will you attend to my question; after he had asked him to vote, and Tinker had promised to vote, you say they had a little conversation in the passage; did they go together out of that room into the passage?—Yes, they did.

6889. What part of the passage was it they had the conversation in?—It is to the right from the front door.

6890. How far distant was it from them you were standing?—I was close to them, as near as possible; it might be a yard.

6891. Tell me what they said?—I did not hear every word that passed, but I heard Mr. Learoyd ask him for his vote.

6892. This was in the passage?—Yes.

6893. First of all you went into the back room?—Yes.

6894. And there Mr. Learoyd asked him for his vote, and he promised to vote?—He said he would come in the afternoon.

6895. And vote?—Yes.

6896. Then you all went out of that room; that is you and Mr. Learoyd and Tinker?—Yes, and many more.

6897. You and Mr. Learoyd and Tinker went out of that room, and then you say Mr. Learoyd and Tinker had a conference together in the passage?—Yes.

6898. And in that conversation you say you did not hear all that passed, but you heard him ask for his vote; was that a second time when he asked him for his vote?—It was.

6899. A second time?—He asked him a great many times.

6900. He was not content with one promise?—He wanted him to go with us in the phaeton; of course he did.

G. Brighouse.

30 April 1866.

6901. He said he would come in the afternoon?—Yes.

6902. He said that in the back room?—Yes.

6903. When he asked him in the passage, did he ask him to go with you in the passage?—Yes, at first.

6904. You say he asked him several times; when were the other times?—He asked him several times in the back room; everyone could hear; the room was quite full.

6905. I understand you, that when he was asking him in the back room, he said he would go in the afternoon and vote?—Yes; but Mr. Learoyd wanted him to go with us.

6906. Why did he ask him several times to vote, when he said he would come in the afternoon?—He asked him to go with us.

6907. Did he ask him several times to go and vote for him?—Yes, in the back room.

6908. Did he ask him several times to vote for him?—He says, "Come, my man, go with us, and vote for us." They are as near the words as I remember.

6909. Did he say he must go and get washed before he could come?—Well, I believe he did say that.

6910. Did you not see Mr. Learoyd and Tinker going up the stairs?—No, I did not.

6911. Will you swear they never did proceed to go up those stairs?—No, they never did go upstairs.

6912. Did they begin to go upstairs; did they ascend two or three steps?—That I cannot swear to; there were so many people about. When you are crushed about with fifty people, you cannot tell all that takes place.

6913. There were so many people there that you cannot tell whether they went up two or three steps of the stairs, or not?—I know I never left Mr. Learoyd.

6914. I am asking you this: Are you able to say whether or not Mr. Learoyd and Tinker were proceeding to go upstairs?—I do not remember their going upstairs.

6915. Are you able to say they were not going upstairs?—I do not remember their going upstairs.

6916. Did you see any person taking hold of him, to pull him back?—No, no one in particular. There were a great many persons round.

6917. Did anyone pull him back?—Not that I remember.

6918. Did you see anyone lay hold of his coat-lap?—No.

6919. Or take hold of his arm?—No, I did not.

6920. Did you see them go to the head of the cellar stairs?—I saw no cellar stairs.

6921. Did you see them go to a doorway leading out of the passage?—There is no doorway at the end of the passage we went in at; I do not know about the other end, for I did not go to the far end.

6922. Who was the other man who went with you?—I did not know him.

Re-examined by Mr. *Rodwell.*

6923. If I understand, he asked for the vote in the first instance, and the man said that he would come in the afternoon?—He did.

6924. You were only a yard and a half from Mr. Learoyd?—I do not think so much as that.

6925. Did you go upstairs yourself?—No.

6926. Then it must have been only on one or two of the first steps that Mr. Learoyd went, if he went there at all?—Not more.

6927. You say you cannot tell whether the room was empty or not when you got in; I understand that when you got into the room, the room was immediately filled with the crowd that pressed?—Yes.

6928. So that you were never in the room empty?—No.

6929. The crowd followed you in?—Yes.

[Adjourned till Eleven o'clock to-morrow.

Tuesday, 1*st May* 1866.

THE RIGHT HON. LORD NAAS, IN THE CHAIR.

The Names of the Members were called over:—All present.

SAMUEL FOX WILLIAMS, was called in; and, having been sworn, was examined by Mr. *Rodwell*, as follows:

6930. Is a man of the name of Tucker a tenant of yours?—Yes.

6931. A beerhouse at Huddersfield?—Yes.

6932. What is the name of the inn?—The "Turk's Head."

6933. Do you recollect the polling at the last Huddersfield election?—Yes.

6934. On that day were you at the "Turk's Head" with Mr. Nehemiah Learoyd?—No.

6935. Then if James Henry Firth has said that Mr. Learoyd called upon you on that day it is not true?—It is not true.

Cross-examined by Mr. *Temple*.

6936. Were you at Tucker's house at all that day?—No.

6937. Never there at all?—No.

6938. Do you know Firth?—Yes.

6939. Did you see Firth that day?—No, I did not see him.

6940. You never saw him at all that day?—No.

6941. Were you anywhere near that public-house that day?—No; I was not in Castlegate at all.

6942. It is in Castlegate, is it?—Yes.

6943. When was your attention first called to this?—I am sure I cannot tell you when my attention was called to it.

6944. Was it the last week or two?—I don't understand.

6945. Have you been asked about the evidence you are to give to-day within the last week or two?—I have not been asked at all about the evidence.

6946. They knew what you were going to say before they called you into the room?—I don't know that; I have not said anything but what is right and what is truth.

6947. Was it within the last week or two since the inquiry began in this committee room that you made this statement that you never saw him on that day?—I never did see him on that day.

6948. When did you first tell the people who called you here?—No one has been to ask me about it.

6949. They knew what you were going to say; you must have told them before what you were going to say?—I knew I should say I never saw James Frith, and I never did see him. *S. F. Wilson.* 1 May 1866.

6950. Who did you first tell that to?—I don't understand what you mean.

6951. When did you come to London?—On Sunday.

6952. When were you first asked to co emup to London?—On Sunday.

6953. Were you on that day asked whether or not you had seen Firth or been at your tenant's public house?—Yes, that was the first day I was asked.

6954. You canvassed for Colonel Crosland, I believe?—No.

6955. You did not?—I never did.

6956. Last Sunday was the first time then asked you if you were at the "Turk's Head" oy the polling-day?—Yes.

6957. Can you tell me all the places you were at on that day?—I had a great deal of my own business that day.

6958. I will be bound you cannot recollect one-half of the places that you were at that day?—I don't know that I went to any place but one, and I met the gentleman on the road coming, and that was Mr. William Henry Hirst.

6959. After having met him, did you go back and sit in your own house all the day?—I got struck with a stick.

6960. Where were you when you got struck with the stick?—In John William-street.

6961. What time of the day was that?—About three o'clock in the afternoon.

Re-examined by Mr. *Rodwell*.

6962. It was rather an eventful day this polling day at Huddersfield?—Yes.

6963. You were not in Mr. Learoyd's company at all?—No.

6964. You have quite a distinct memory of that?—Yes, I have.

HUGH MOORE, was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

H. Moore.
1 May 1866.

6965. ARE you a serjeant of the Huddersfield Borough Police?—Yes.

6966. Do you remember the last polling day?—I do.

6967. Where were you on duty between one and two on that afternoon?—John William-street.

6968. In consequence of something that was told you by your superintendent, did you go to the house kept by Tinker?—I did.

6969. What time did you get there?—About one o'clock.

6970. Did Tinker make any statement to you when you got there?—I could not get to see him.

6971. After you had been there, did you go to the "George"?—Yes.

6972. Did you see Mr. Nehemiah Learoyd there?—I did.

6973. Did you tell him what you had seen at Tinker's?—Yes.

6974. In what state was Tinker's house, outside and in?—In a disorderly state.

6975. Were there a great many persons outside the house?—There were.

6976. What were they doing?—They were shouting; they said he should go and vote for Mr. Leatham, and he should not vote for Colonel Crosland.

6977. Who said that?—The company.

6978. Did you go into the house?—Not the first time.

6979. When you returned to Mr. Learoyd, did you tell him what you had seen?—Yes.

6980. After you had told Mr. Learoyd that, did you see Mr. Learoyd do anything, or hear him say anything?—I got orders to go back again.

6981. Mr. Nehemiah Learoyd gave you an order?—Yes.

6982. In consequence of that order, did you return to Tinker's?—Yes.

6983. What was your object in going to Tinker's?—To protect the voter.

6984. When you got there, were you able to do so?—No.

6985. Finding yourself not able to do so, where did you go then?—I came back to the "George."

6986. Did you inform Mr. Learoyd then of what you had not been able to do at Tinker's?—Yes.

6987. Upon that, what did Mr. Learoyd do?—I got orders from the superintendent to go back again.

6988. Did you go back again?—Yes.

6989. Were you successful that time?—We saw Tinker.

6990. What did Tinker say?—He said the company would not allow him to go there; but he would go after a bit.

6991. He would not come then?—No.

6992. Did you go back to Mr. Learoyd again?—No.

6993. Was Mr. Learoyd with you then?—Yes.

6994. How had you gone up there?—When I had seen Mr. Learoyd, at the "George," I started off before him, and he overtook me

6995. He came in a carriage?—He did.

6996. Did you see Mr. Learoyd in Tinker's company with Tinker?—Yes, standing at the bar door.

6997. And then did you see Mr. Learoyd come away?—Yes.

6998. Was Mr. Learoyd, during the time you were there and he was there, in your sight all the time or not?—He was.

6999. Were you near enough to him to have seen him give money to Tinker, if he had done so?—Yes.

7000. Did you see anything of the kind?—Not at all.

Cross-examined by Mr. *Temple*.

7001. Were there a great number of persons in the room?—There were not so many when we got there at first, but they followed us in.

7002. I mean when you and Mr. Learoyd went first of all; at that time do you mean to say there were not so many people in the room?—Not so many when we went in; a great number followed us in.

7003. Did Mr. Learoyd and Tinker go into the back room?—No.

7004. They did not go into the back room at all?—No.

7005. Had you Mr. Learoyd in your eyesight the whole of the time he was in that house?—Yes.

7006. You never lost sight of him a moment?—No.

7007. Upon your oath, did he not go into that back room?—No.

7008. He did not?—No.

7009. Upon your oath, was Mr. Learoyd ever in that back room?—Not when he was there that time.

7010. Is there anything else you want to add?—Nothing further than that when we got into the house the company followed us in—rushed into the house; they called out to Mr. Learoyd whether he would pay for some beer. Mr. Learoyd said, "I see what you want, I won't pay for a pennyworth;" we then got forward as far as the bar, and he just entered the bar, and he said, "Where is Tinker;" and Tinker came to the door, and he was there, I should say, about a minute or two; he told Mr. Learoyd that they would not allow him to vote then, but he would go in a bit.

7011. Now I come back to my question; upon your oath, was Mr. Learoyd at any time during that interview in the back room?—No.

7012. He was not?—No.

7013. As I understand you now, he called Tinker to the bar?—He axed where Tinker was.

7014. Did the whole conversation between Tinker and Mr. Learoyd take place in the bar?—In the doorway.

7015. That is the front door?—No.

7016. Which doorway?—The bar door.

7017. Does the bar door you are speaking of lead into the passage?—Yes.

7018. Then just in the bar and in the doorway leading to the passage the whole conversation that took place between them happened?—Yes.

7019. You

7019. You were a policeman, were you not?—Yes.

7020. What made you go to Mr. Learoyd from time to time to tell him what was going on at Tinker's?—When I received my first instructions.

7021. From whom?—The superintendent; I came back and told him, and the superintendent and Mr. Learoyd were together when I came back.

7022. You said you saw a number of people about the house; were they outside or inside before you went to tell Mr. Learoyd?—They were outside on the door-step.

Re-examined by Mr. *Rodwell.*

7023. Just describe a little what my friend has called the back room; do you know any room which is called the back room, or was there a room which you would describe as a back room?—Yes.

7024. What room was that?—When you go in at the front door, there is a tap-room on your right hand, when you go a little further there is a bar on your left, and about a step or two straight forward there is a sitting-room, or back room it may be termed.

7025. Does that sitting-room communicate with the bar?—No.

7026. Have you been inside that bar; do you know the bar?—Yes.

7027. Do you know whether there is a door from the bar into that room or not?—You have to come out of the bar into the passage, and then step into the back room. *H. Moore.* 1 May 1866.

7028. This back room opened into the passage, I presume?—Yes, both in the passage.

7029. How far is the door of the back room from the door of the bar?—I should think not two strides.

7030. Was the passage crowded?—It was.

7031. How far were you from Mr. Learoyd at the time?—About another man between him and me.

7032. Was the door of that back room open or shut?—I believe it was open.

7033. Was Mr. Learoyd pushed about a good deal by the people at the time he was in the passage?—He was.

7034. And you too, I believe?—I was.

Examined by the *Committee.*

7035. Was there a man called George Lambert there at the time?—Yes.

7036. Will you explain where the staircase was?—The bar-door is here, the staircase is here, and the back room is here (describing) all together within a step or two.

7037. Where is the step down to the cellar?—They are all connected together within a stride or two.

7038. Are the steps down to the cellar under the staircase?—Yes.

JOHN MARSDEN, was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

7039. I BELIEVE you live at Huddersfield?—Mold Green. *J. Marsden.*

7040. Do you recollect on the polling day at Huddersfield, going anywhere with Mr. Learoyd?—Yes, I went to Tinker's.

7041. What time of the day did you go?—As near as I can tell, it was the middle of the day.

7042. How did you go?—In an open cab thrown back.

7043. Did you see what took place there?—Yes.

7044. How far were you from Mr. Learoyd?—I was not above a yard and a half at the farthest.

7045. Did you see Tinker?—Yes.

7046. Did you see Mr. Learoyd speak to Tinker?—I did.

7047. Did you see Mr. Learoyd give anything to Tinker?—Never, in this world.

7048. Since this took place, has anybody come to you about the evidence in this case?—Parties on the opposite side came.

7049. Who came to you?—Mr. Lord.

7050. Who is Mr. Lord?—A photographic artist in Huddersfield.

7051. Is he in this room?—He was when I came in; he is here.

7052. What did he say to you?—He came to me just as if he came from Mr. Learoyd's office, and he says, "Have you got a Speaker's warrant?" I says, "No, not yet; I might have one;" he said, "Well, what do you know about this case?" I says, "Well, I know all that passed;" he says, "Did you see anything pass between the hand of Mr. Learoyd and Tinker?" I said, "No, nor no one else;" he says, "Well, we shall want to see you again.' I had to go to a place about a mile and a-half off; while I was away he came again, and having to go to this place, I met the man I was going to see at the end of a lane, and I should have had to go a quarter of a mile further if I had not met him; they took a Hansom cab and hurried to this place and found me.

7053. Did you see Lord again?—Yes.

7054. Did Mr. Lord say anything to you about your evidence?—Yes; he said, "You might as well go with me; I shall be a friend to you, and not an enemy; and if you go with me, we shall not be particular to 5 *l.* or 10 *l.*"

7055. What did you say to that?—I says, "If you give me 20 *l.* I shall not alter my mind."

7056. By the *Committee.*] Alter your mind?—I could not, because I was not going to go on their side; he wanted me to go to Mr. Clough's office, and I would not go with him.

7057. Mr. *Rodwell.*] And you did not go?—I did not go.

7058. Will you state how you came to give information to Mr. Learoyd about this matter?—I heard a man telling——

7059. You heard something in a public house? I did not hear it.

7060. Having heard something, did you go to Mr. Learoyd, or did Mr. Learoyd come to you?—I went to Mr. Learoyd; I addressed him in a letter first.

7061. Did you go to Mr. Learoyd in consequence of something you heard with reference to this transaction?—Yes.

J. Marsden.

1 May 1866.

7062. Is what you have told, the truth?—The whole of the truth and nothing but the truth.

Cross-examined by Mr. *Temple.*

7063. You say Mr. Lord came to you as if he came to you from Mr. Learoyd's office?—Yes.

7064. I want to understand you a little better than I do at present; what do you mean by saying that he came to you as if he came from Mr. Learoyd's office?—He did not plump say so; I said "I am going to Mr. Learoyd;" he said, "If I was you I would not go; they will be shut up."

7065. Upon that, you say he came to you as if he came from Mr. Learoyd?—Of course.

7066. You said you were going to Mr. Learoyd's office, and he said "If I were you I would not go, they will be shut up"?—Yes.

7067. Upon that it is you say he came to you as if he had come from Mr. Learoyd?—Yes; he addressed me as if he had been there.

7068. That is what induced you to believe he addressed you as if he came from Mr. Learoyd's office?—Yes.

7069. Will you swear that Mr. Lord told you they would not stick to 5 *l.* or 10 *l.*, or that he said anything about 5 *l.* or 10 *l.*?—Yes, I will swear that.

7070. Did you not ask Mr. Lord for some money?—Never; I never asked him any such question.

7071. Will you swear that?—Yes.

7072. Did you not ask Mr. Lord if he would give you any money for your evidence?—No.

7073. Did you ask him to give you any money for any purpose?—No; I told him if he would give me any amount I would not go with him.

7074. Upon your oath, did you not propose to him and suggest to him, or ask him for some money, and did he not tell you he would not give you a farthing?—No; I never asked him a word about any money.

7075. You say you were a yard and a half from Mr. Learoyd; was that all the time he was in Tinker's house?—Yes, all the time.

7076. What room did you go into first of all, when you went into Tinker's house?—On the right hand side there is one room, and we went in what is called the "bar parlour."

7077. Is that on the left hand side as you went in, or on the right hand side?—Nearly opposite the passage.

7078. Did you go into any other room but that?—No.

7079. Did you see Mr. Learoyd and Tinker go into another room?—No.

7080. You say that the bar door is nearly opposite the front door, where you enter?—Opposite the passage.

7081. Did you go in at the front door and then along the passage straight on, to get into the bar?—Yes.

7082. Is there a room at the right hand, before you come to the bar?—Yes.

7083. Do you know a room in that house called the "back room"?—That is the room I am speaking of.

7084. What room?—The room that is opposite, I call the back room.

7085. Is it the bar or is it not?—It is not the bar; they call it the back parlour; I suppose it is the best place they have in the house.

7086. Is there another place in the bar where they fill?—Yes, to the left hand.

7087. On the left hand as you go in?—On the left hand side.

7088. Then this room which you have called the bar is the back room in truth, is it?—Yes, it is the furthest room to the back.

7089. They do not draw there?—No.

7090. Was it into that room you went, first of all?—We looked in there, and Mr. Learoyd asked to see Tinker.

7091. Was there anybody in the back room, when you went in?—Yes, there was a deal of company.

7092. Then, as I understand, you went straight up the passage to that back room and looked in, and it was full of company?—Not full.

7093. There were a good many people in it?—Yes.

7094. Then you say that Mr. Learoyd asked for Tinker?—Yes.

7095. Was Tinker in the room?—I did not see what room he came out of.

7096. Was Tinker in the room?—No.

7097. Did you come back again from that room?—We all stood in the passage then.

7098. Did Tinker come to you in the passage?—He came to Mr. Learoyd.

7099. Did Tinker and Mr. Learoyd have a conversation in the passage?—I was listening to them, and he asked Tinker to come and vote.

7100. Did he have a conversation in the passage?—He spoke to him.

7101. In the passage?—Just as you come out of the room.

7102. Out of what room?—Out of the back room.

7103. Was it at the door of the back room that the conversation took place?—No; just about a yard and a half.

7104. A yard and a half distant from the door?—Yes.

7105. Further up the passage, nearer the front door?—Yes.

7106. Did you see Mr. Learoyd and Tinker have any other conversation, except that?—Never.

7107. You merely saw them have that one conversation?—Yes.

7108. Which was in the passage?—Yes.

7109. A yard and a half distant from the back room there?—Yes.

Re-examined by Mr. *Rodwell.*

7110. Did you know who Lord was when he came to speak to you?—I knew him, but I did not know which party he belonged to.

7111. Was he a friend of yours at all?—No, I never spoke to the man in my life.

7112. Had you ever been at Tinker's public house before the day in question?—Never.

7113. You have never been there since?—Yes, I have.

7114. How often?—Once.

7115. You are not a voter, I presume?—No.

7116. Is that the only conversation you saw?—Yes.

Examined by the *Committee.*

7117. How were you employed on the day of the election?—I was not employed at all, only on my own accord.

7118. What are you?—A traveller.

7119. A commercial traveller?—Yes, for my father.

7120. Did

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7120. Did you go to the public-house with Mr. Learoyd?—Yes.

7121. Of your own accord?—Yes.

7122. Just to accompany him?—Just merely of my own accord; I was never asked to go; I was never paid; I never drew a penny for any service I did.

7123. Did the man Lambert go with you?—Yes.

7124. How long were you in the house altogether?—Not above five minutes at the furthest.

7125. You merely went as a partisan of Colonel Crosland?—Yes.

MATTHEW MILNES, was again called; and was Examined by Mr. *Rodwell*, as follows:

M. Milnes.

7126. YOU were asked the other day, "Where did you get the money from?—*A.* From a person called Crosland. *Q.* What Crosland?—*A.* He is a tall fellow. *Q.* Do you know his Christian name?—*A.* I do not know whether they call him John Crosland." Is that the gentleman (*pointing to Mr. John Crosland*)?—No.

Cross-examined by Mr. *Temple*.

7127. You said there were two persons?—No.

7128. Do you know Mr. William Crosland?—No.

7129. Have you seen any person in the passage who was one of those persons you spoke to you saw?—No.

7130. Have you been in London ever since you were examined?—I came last Saturday.

7131. Have you been here ever since?—Yes.

7132. Where have you been staying?—Fore-street.

7133. Since Saturday, have you seen any person from Mr. Learoyd, or from Colonel Crosland?—I see them pass to and fro.

7134. Have there been any persons talking with you?—No.

7135. Pass to and fro and in Fore-street?—Up and down here.

7136. Do you mean to say that nobody has spoken to you at all since Saturday?—Yes, I do mean to say so.

7137. Did you not leave the passage on Saturday last with a person named Furness?—No.

7138. Have you never spoken to Furness?—Never in my life; he is a person I never did speak to.

7139. Have you spoken to a man named Willingale?—I do not know him.

7140. Was there not a person named Willingale who saw you at the station and brought you in a cab away from the station?—No.

7141. How did you get from the station?—In a cab.

7142. Who was with you?—Turner and me, and a brother of mine.

7143. Was there no person who met you?—No.

7144. And no person that went with you at all that day?—No.

7145. Did you see nobody on the Sunday?—Of course, I saw plenty on the Sunday.

7146. Who did you see?—Plenty.

7147. Did you see anybody connected with Mr. Learoyd or Colonel Crosland?—I might do, but not to speak to.

WILLIAM HANNAN, was called in; and, having been sworn, was Examined by Mr. *Waddy*, as follows:

W. Hannan.

7148. I BELIEVE you are a Superintendent of the Huddersfield Borough Police Force?—I am.

7149. Were you so at the time of the last election?—I was.

7150. Prior to the last election, had you received certain information with regard to the state of the town?—Yes; there was a disturbance apprehended.

7151. What did you see?—Several persons came to the office with "knuckle dusters."

7152. Did you see the "knuckle dusters"?—Yes.

7153. What day was that?—I do not recollect that, because they came on several days; and there was a meeting of the magistrates.

7154. Previous to the polling?—Yes.

7155. How long before the election?—Perhaps six weeks or a month.

7156. They came to you in your official capacity as superintendent of the police?—Yes.

7157. Did you see any of these "knuckle dusters"?—Yes.

7158. Did some of them find their way into your possession?—Some of them did.

7159. Have you got any of them here?—I have not got one, but I believe there is one.

7160. By the *Committee.*] Some "knuckle dusters" were brought to you?—Yes.

7161. Mr. *Waddy.*] In consequence of this, were special meetings of the watch committee held?—Yes.

7162. Was the whole board convened specially?—The whole of the watch committee.

7163. Independent of the rumours which you had heard, did your own observation lead you to apprehend danger?—Certainly there was a very great deal of excitement in the town for a long time before the election.

7164. In your capacity as superintendent, were you aware that there were meetings in St. George's-square; did you attend them?—I did.

7165. Did you in that way attend several meetings which were attended by Colonel Crosland's supporters?—I have.

7166. On these occasions were the meetings interfered with by the other party?—The meetings were interfered with by some party.

7167. By the *Committee.*] Did you say all meeting or meetings of Colonel Crosland's supporters?—The meetings of Colonel Crosland; they diverted the meetings, and some of the Colonel's supporters went, and they were knocked down several times.

7168. Mr. *Waddy.*] And ill treated?—Yes.

7169. Were the police ill treated also?—One of our inspectors was pulled back in the square, and we were jostled about on almost every occasion that the Colonel spoke in the square.

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7170. I believe the Colonel was the popular Member?—He was the popular Member among the respectable people of Huddersfield.

7171. Was the mob for him or against him?—The non-electors were dead against him.

7172. I believe Mr. Joseph Turner was the chairman of the Improvement Commissioners?—He was.

7173. Do you know whether he communicated with Colonel Cobb?——

7174. By Mr. *Temple.*] Were you present when any communication was made?—No.

7175. Mr. *Waddy.*] I believe Colonel Cobb is the chief of the West Riding Constabulary?—Yes.

7176. Is he here?—He is.

7177. However they were obtained, were a division of the West Riding force sent into your town?—Yes, they were sent; the West Riding Head Office, belonging to that division, is in Huddersfield proper within the limits.

7178. Did you make an arrangement for swearing in special constables?—I did.

7179. How many?—Five hundred.

7180. Do you know what number of the West Riding and County Constabulary there was?—I cannot say.

7181. Did you write to the superintendent of the neighbouring district?—At Halifax and Bradford.

7182. Did you get police assistance from there?—I did.

7183. Some of them mounted police, I think?—No; some of our own men were mounted.

7184. How many of your own men were mounted?—Fifteen.

7185. How many did you get from Halifax?—I think, 12.

7186. And from any other place?—From Bradford, 14.

7187. Do you remember the nomination day?—Very well.

7188. About three o'clock in the afternoon, did you receive some information at the police office?—Yes.

7189. In consequence of information you received, did you go to Mr. Waller's warehouse?—Yes.

7190. Did you take some police with you?—No, I found the police there when I got there.

Mr. *Temple* objected to the course of examination.

Mr. *Rodwell* stated, that his object was to show the disturbed state of the town, and that voters of Colonel Crosland could not go about without protection.

The *Chairman* stated, that the Committee were of opinion that evidence to show the state of the town in general terms was admissible.

7191. Mr. *Waddy.*] When you got to Waller's warehouse did you find a crowd?—I did; the street was completely blocked up.

7192. Was that an orderly or disorderly crowd?—A very disorderly crowd.

7193. What were they doing to the windows?—I did not see them do anything to the windows.

7194. Did you see the windows of Mr. Waller's warehouse?—Some of them were broken.

7195. By the *Committee.*] You did not see them broken?—No.

7196. Mr. *Waddy.*] They were broken when you got there, I suppose?—Yes.

7197. Did you see them do anything to the door?—They said they would pull the warehouse down.

7198. Did you drive the crowd back?—We had to drive them back several times.

7199. Just tell us exactly what you saw and what took place there?—I got up to the steps. I said, "You had better commit no violence." I said, "What do you want"; they said, "Mr. Crosland's party has got one of our voters bottled up there, and we will have him out"; I said, "If that is so, you shall have him out"; I then went to the window and I asked for Hoyle; I believe his father, the elder Mr. Hoyle, was then in with his son, but I wanted to see the man himself.

7200. Do you happen to know whether his father is the warehouseman there?—I do not know.

7201. When you got in did you see Hoyle?—I did not get in; he came to one of the broken windows, and I asked him what he was doing there, and he said he was afraid to go out for the mob; I said, "Where do you want to go to"?

7202. Did he make some request to you?—He wanted to go to the "George."

7203. In consequence of that request, what did you do?—I dare not bring him out because the crowd was so excited, and I was perfectly satisfied they would not believe me if I said he wanted to go to the "George."

7204. By the *Committee.*] You did not pull him out?—I did not pull him out in consequence of the violence of the mob in front; I then said to the crowd, "Go to Mr. Leatham's committee and bring two gentlemen here"; Mr. Crawshaw and Mr. Clayton came; I do not know who went for them.

7205. Mr. *Waddy.*] Is that bookseller Clayton?—Yes.

7206. Do you know whether they were two gentlemen taking an active part in the election on the part of Mr. Leatham?—Yes; some of his principal supporters.

7207. What took place when they came?—I says, "Gentlemen, you see the state we are in; there is a man, they say, bottled; will you go and ask him where he wants to go to, and let this crowd know"; they went to him both of them, and they asked him where he wanted to go to; he said, "To the 'George'"; and I said, "Now, gentlemen, will you be kind enough to tell this mob where the man wants to go to"?

7208. Did they tell the mob?—They did.

7209. Did that calm the mob at all?—Oh, no; it made them worse; they said, "He shall go to the police office"; I says, "What! an Englishman go to a police office for nothing"; I says, "He shall go to the 'George' where he wants to go, or to the 'Queen,' or anybody he likes to go to, and we will protect him"; we brought him out of the place with the greatest difficulty; they tore the clothes off his back and pulled him in the most shameful manner, and shuffled us about.

7210. By the *Committee.*] You did bring him out that night?—Yes.

7211. Mr. *Waddy.*] And you escorted him to the "George"?—Yes.

7212. Was his father with him?—I believe he was; but I will not swear.

7213. Was he very much frightened, apparently?—Very much frightened indeed; we had great difficulty to get him to come out of the warehouse at all.

7214. From that time, until the election was over,

over, were the police ever off duty?—We were up night and day; I was not in bed myself two nights; I went to bed for about 15 minutes, and they called me up again, and they said they were breaking into the "George."

7215. What night was it there was a report they were breaking into the "George"?—On the morning of the polling day, about three o'clock.

7216. During all the night before the polling day, was the town in an excited and disorderly condition?—It was; we were stationed about seven hours in front of the "George."

7217. By Mr. *Temple.*] Who were stationed?—The police.

7218. Mr. *Waddy.*] Was there a crowd all night through in St. George's-square?—There was.

7219. What were the acts of the crowd during the night?—They were throwing stones, and hooting, and calling out, "Brigade No. 1, No. 2, No. 3," and so forth; any cab that passed the street, or came to the "George," was searched; the mob stopped it, and on every occasion nearly upset it.

7220. Did you observe whether the cabs were damaged at all?—I did not observe whether the cabs were damaged that night.

7221. You said something about Brigade No. 1 and No. 2?—Yes.

7222. Do I understand you to say, that they were divided into organised bands?—Yes.

7223. Tell us exactly what you saw that led you to that conclusion?—There were leaders, and they had long sticks, and they called No. 1 and No. 2; from 30 to 40 men turned out in the street when No. 1 was called, to search cabs, or anyone they thought proper.

7224. Did you hear, during the night, Mr. Learoyd's name called out at all?—Several times.

7225. How?—"Where is Learoyd"? "Why does he not come out"?

7226. I believe he did not come out?—I begged of him not to come out; he would have come out, I believe, if it had not been for some of his friends.

7227. Why did you tell him not to come out?—Because I was afraid of personal violence.

7228. Do you know how long Mr. Learoyd stayed at the "George"?—He stayed all night.

7229. Could the people in the "George" get out for the mob?—Some of them came out, and some of them did not.

7230. Did you observe whether this mob was armed at all with anything?—Several of them had sticks.

7231. How many of them were there in the square?—I should think 300 or 400, when we went first.

7232. By the *Committee.*] Was that all night?—A great number of them did not remain all night; they dwindled away to about 100; when I left, it was about a quarter to three o'clock.

7233. In the earlier part of the night there were between 300 and 400?—There were.

7234. Mr. *Waddy.*] You have told us they dwindled down at one time to about 100; what was the largest number you saw in the square?—Between 400 and 500, I should say.

7235. When you say between 400 and 500, what time are you referring to?—The night.

7236. Next morning did the mob diminish or increase?—Increased very much.

7237. On the morning of the polling day?—Yes.

7238. What did it increase to at last; what was the largest mob you saw?—There were several thousands.

7239. You say you left about a quarter to three o'clock; how long did you remain away?—I had just got to bed, and was just going to sleep when some person came and said, "Hang them, they are breaking into the George"!

7240. Had you to go back again?—Yes.

7241. How long did you remain there on the morning of the polling day when you went the second time?—I never went back again.

7242. Did you remain during the whole of that morning, and during the whole of the following day?—Yes.

7243. Up to what time?—Till three o'clock in the morning; I was not exactly in the square till then; I had been away, and was called back again several times.

7244. Did the military come during the day?—Yes.

7245. What time was that?—I think it was about five o'clock.

7246. Five o'clock in the morning?—Yes, it was between four and five we sent for them.

7247. By the *Committee.*] Was that the polling day?—Yes.

7248. Where did you send to?—Manchester.

7249. Mr. *Waddy.*] I believe there are some stone pillars surrounding two Russian guns in St. George's-square?—Yes.

7250. What did you find with regard to those guns when you examined them?—I left the "George" about a quarter to three, and when I came back again two of the pillars were pulled down.

7251. The poll began at eight o'clock, I suppose?—Yes.

7252. During the whole of that day, were you using all the efforts you could to preserve order?—Yes.

7253. Were the whole of those special constables on duty that you have told us of?—They were.

7254. And the mounted and foot policemen you have mentioned?—Yes.

7255. On the polling day, did you see any persons ill-treated?—Several.

7256. What time did the first begin?—About 10 o'clock in the morning.

7257. Do you know who they were?—I believe one of them was the Rev. Mr. Jones's son, but I would not swear who it was.

7258. What was done?—John William-street was blocked up, and it took the united efforts of the mounted police to keep that street clear.

7259. Is that the approach to the polling booth?—Yes, that was the principal approach.

7260. Did you observe what was done to the cabs, as they brought up voters to those polling booths in John William-street?—I observed that when any of Mr. Leatham's cabs came, the mob made a road for them, but when any of Colonel Crosland's cabs came, they did everything to obstruct the streets, and in some instances threw stones clean through the windows.

7261. You have told us already that the police were stoned during the day; were you yourself struck with any stones?—Out of number; I was stoned during the whole of that day; and my men too.

7262. Were you struck repeatedly with stones?—Repeatedly.

7263. Were

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7263. Were you severely bruised?—My arm was very much hurt.

7264. How long were you laid up?—I was not laid up at all.

7265. I believe, in addition to the stones which were thrown, something was done with a scythe?—There was a prisoner locked up, that we were obliged to let go in consequence of the mob; I was jumping forward to get to the reserved force of Colonel Cobb, the crowd followed up, and there was a man with a scythe stuck in a stick, and it was thrown at me as I was passing the "Bull and Mouth" corner.

7266. Were any attempts made to pull you off your horse?—Yes.

7267. I believe you were struck on the arms with a stone?—Yes.

7268. What was the result of that?—It was very painful for a length of time.

7269. Mr. *Rodwell.*] Is that what you call a "knuckle duster" (*producing the same*)?—Yes.

7270. Show the Committee how they use that?—Yes.

7271. Mr. *Waddy.*] I believe some of the magistrates were about, during the early part of the day?—I did not see them.

7272. Why did you go to Colonel Cobb?—We used the greatest forbearance; I was coming on with this division; they commenced throwing stones and struck our magistrates, and this was the only time we charged on the mob.

7273. By the *Committee.*] You only charged once?—We only charged once.

7274. Mr. *Waddy.*] Were you present when the Riot Act was read?—I was.

7275. What time in the day was that?—I believe it would be between two and three o'clock.

7276. Who read it?—Mr. George Armitage, the chairman of our bench.

7277. Had that any effect on the mob?—They were quiet afterwards in John William-street, but, as myself and Mr. Armitage were going through the crowd, next to the railway station at the back part of the town, some one threw a stone from behind; I do not know whether it was aimed at myself or the magistrate.

7278. You have told us that cabs, which had Mr. Leatham's friends in, appeared to go through the mob quietly; did you see any disturbance made by those who appeared to be Colonel Crosland's supporters?—Not any.

7279. During the whole of that day?—No; they had no chance with them at all.

7280. Do you know whether the Leathamites had or not large bands of watchers?—I cannot tell.

7281. Every cab you saw of Colonel Crosland's, were the windows broken?—No, not every cab.

Cross-examined by Mr. *Temple.*

7282. You only speak of one street, I think, where you said the cabs were intercepted, John William-street?—Yes.

7283. Was that on the polling day?—That was on the polling day.

7284. You were on duty in John William-street?—Yes.

7285. Was every cab that was in favour of Mr. Leatham, or appeared to be in favour of Mr. Leatham, or had Mr. Leatham's placards upon it allowed to go quietly through?—Every one that I saw.

7286. And was every one of Colonel Crosland's interfered with?—Nearly so

7287. But there were a few favoured exceptions, were there?—There might be.

7288. There were some exceptions?—When there were somewhere about 15 mounted police riding that way where the cabs were coming, they let them alone; and when we were down at the hustings, and had to get up, the cabs were stopped, and we had to go up and release them.

7289. You say that when you rode in some direction or other, that had the effect of preventing the mob from interfering?—Yes.

7290. And then the cabs were allowed to go quietly?—Yes.

7291. How long were you before you performed this operation which had the effect of enabling the cabs to go quietly?—It sometimes took us 10 minutes.

7292. I understand that you were first of all stationed in John William-street, and that you saw the cabs interfered with, and then you rode down the street, or rode in some direction and cleared the mob, and by that means let the cabs go quietly; have I stated correctly what you said?—Stated what correctly?

7293. I understood you to say that you were first of all stationed in John William-street, and that in the first instance the cabs of Colonel Crosland were interfered with; that you then rode down the street or up the street and cleared the place, and then the cabs passed quietly?—Yes.

7294. How long had you been standing looking on before you did that?—We were not standing at all; it was simply this; there was a row of mounted police, on this side of the street, and on this side (*describing*), and they kept the middle clear; as soon as we got any distance they rushed together again.

7295. You were moving backward and forward?—Yes.

7296. As soon as you got any distance the mob closed in?—Yes.

7297. But as soon as you charged them, or as soon as you did anything to clear them away, they went away?—We got them back to the sides of the street.

7298. There was a great deal of fighting in the streets, I understand you?—Yes.

7299. Who were they fighting with?—One another.

7300. These 400 or 500 people whom you saw on the first day, were they all fighting one with another?—No, they were throwing stones.

7301. I think you said that for seven hours they were pelting stones in front of the "George"?—Yes.

7302. Without any intermission?—There would be a little intermission. They smashed several windows.

7303. Did they keep it up seven hours?—They were throwing stones for seven hours.

7304. Where did they get the stones from?—They got them down at the low side of John William-street.

7305. There was a heap of stones there, was there?—Yes.

7306. Did they bring fresh supplies?—We picked the stones off St. George's-square.

7307. How many?—I daresay a cartful, and there was more than a cartful there the next morning to pick off again.

7308. You say they got the stones from a sort of magazine that there was in John William-street?—It is where rubbish is thrown.

7309. Were

7309. Were they good large stones?—Some of them were of the size of an egg.

7310. Was that the largest?—Some less and some larger.

7311. From the size of a pea to the size of an egg?—I do not know about a pea. If you had been there you would have found it out, and you would not have been so very fond of the pea.

7312. Did you hear of any persons having to go to a surgeon about their wounds or bruises?—Yes, I saw a man nearly dead in the "George;" I do not know whether his arm was broken or not.

7313. A person of the name of Booth is the surgeon to the police force?—Yes.

7314. Who had done any harm to the man in the "George"?—I did not see that.

7315. He was nearly dead; did he appear to have been pelted with stones, or to have been ridden over?—He seemed to have been kicked.

7316. Can you tell whether he had been kicked by a horse or not?—No, I could not; there was another man nearly dead, Mr. Learoyd.

7317. Which Mr. Learoyd?—Nehemiah Learoyd, and if it had not been for the mounted police he would have been dead.

7318. He was abused, was he?—He was.

7319. Who was the popular candidate?—Mr. Leatham, I consider, was the popular candidate, that is, if majority is popular.

7320. Did you hear my learned friend ask whether Mr. Crosland was the popular candidate?—With the respectable parties of the town, yes.

7321. Mr. Crosland was popular with the respectable parties, and Mr. Leatham with the mob?—Yes, what you call the non-electors.

7322. There was no occasion to send for the military that day in your opinion?—I will go into that matter. Colonel Cobb was going out of the town, and the magistrates sent for me, and asked me if I could keep the peace of the town, and I said that I could not say I could. Mr. Armitage asked me if I thought it necessary to send for the military, and I said that if I were Mr. Armitage I would not take it upon myself, and I would send for Mr. Wright Mellor and ask him whether he would keep the peace of the town. Mr. Mellor came, and he would take no such responsibility, and then the magistrates agreed to send for the military.

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7323. Have you said, since that, that in your opinion there was no necessity for the military?—Said where?

7324. Have you said to any person since that time, that in your opinion there was no necessity for the military?—No; but I said if they had not sent for them I believed there would have been further violence.

Re-examined by Mr. *Rodwell.*

7325. At all events it was serious enough to have the Riot Act read?—It was.

7326. You are not naturally a timid man, are you?—I am an Irishman, and I am rather excitable sometimes.

Examined by the *Committee.*

7327. How did the police save their heads when the stoning was going on?—With their hats; those ugly head dresses that we have are very useful, I assure you.

7328. Do you mean that they put their hats before their faces?—They are those hollow hats.

7329. What part did the special constables take?—They merely kept the barriers; there were barriers in front of the booths to keep the mob from getting to the booths; these special constables merely kept the entrances to the barriers.

7330. What class of men were the special constables?—The officers picked them out of the Red Book, which is kept at the Commissioners.

Colonel Charles Augustus Cobb, was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

7331. You are Superintendant of the West Riding constabulary?—Chief constable.

7332. You were at Huddersfield; I believe you had been sent for with some of your force to attend at the Huddersfield election?—I was at the election with some men.

7333. What day did you go?—I can hardly tell.

7334. Was it the day before the poll?—I went on the polling day.

7335. How many men did you take?—About 150, I think.

7336. Where were you principally during the day?—I was up at my own part of the town, that is to say, outside the limits of the commissioners, with my own men, until about two o'clock, I think.

7337. At two o'clock were you sent for?—Yes.

7338. Where did you go?—Straight down to the polling booths.

7339. In what state did you find the town at that time, both in going to the polling booth and in the neighbourhood of the polling booth?—As I went towards the polling booth, we were in a very broad street (John William-street), and we were pelted with stones immediately we got there.

Colonel *C. A. Cobb.*

7340. Was there any shouting and violence of that sort?—Stones were flying about, and there was a great deal of excitement; the street was full.

7341. When you got to the polling booth, what was the state of things there?—They were throwing stones at the cabs; the people in the crowd were doing it.

7342. Was there a considerable degree of violence and uproar and confusion in the town at that part?—Just round by that part of the polling booth there was; I could not keep my men there; they fell back, and they said they could not stand it.

7343. The fire was so hot they could not stand it?—I sent eight or ten men on to be pelted while I put the place in order, and they said they could not stand it.

7344. Were you present when the Riot Act was read?—Yes, the street was cleared then.

JAMES WALLER, was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

J. Waller.
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7345. WHERE do you live?—At Huddersfield.

7346. You recollect the last Huddersfield election, I daresay?—Yes.

7347. Do you know a voter of the name of Hoyle?—I do.

7348. Do you recollect seeing him previously to the election?—Yes.

7349. Did you say these words to him—that if he had let you know a fortnight or three weeks before you could have employed him at the "George Hotel," at 10*s.* a day?—I did not.

7350. Had you any power or authority of any sort or description to employ anybody, or do anything in the election?—I had not.

7351. Did Hoyle tell you that he was going to vote for Mr. Leatham?—No.

7352. Is it true that you asked him to promise you to vote for Mr. Crosland?—I did not ask him to promise me; I asked him who he was going to vote for, and he told me he should vote for Mr. Crosland.

7353. Did you tell him that if he voted for Colonel Crosland you would see that he had his shop opened after the election?—I did not.

7354. Or any words to that effect?—No.

7355. It is utterly untrue, is it?—Quite untrue.

7356. You pledge yourself that you never made any promise whatever of that kind to him?—No promise of any kind to him.

7357. Did you go with him to the "George" on the nomination morning?—I did.

7358. Did you use those words in his presence—that he was a doubtful one?—No.

7359. Had he before that told you which way he was going to vote?—Yes.

7360. Which way?—For Colonel Crosland.

7361. Did you hear Mr. Clay say these words to him—"Now then, young man, we want to know who you are going to vote for"?—I did not.

7362. Must you have heard that, if it had been said in your presence?—I left him as soon as I introduced him to Mr. Clay.

7363. Do you recollect having any conversation with him on the nomination day, and saying to him, "You have nothing to do, only just to keep popping into the room to see if they want you"?—I never said so.

7364. Did Hoyle tell you he had been pressed to vote for Mr. Leatham?—No.

7365. Did you ever say to Hoyle that you would set him afloat if he wanted it?—No.

7366. Nothing of that sort?—No.

7367. You distinctly say that you never made any inducement or promise of any kind whatever to him for his vote?—Not in the least in any way.

7368. And said nothing that could be interpreted into it?—No.

7369. What are you?—I am a wool merchant.

7370. Was your warehouse attacked on the night before the polling?—It was on the afternoon.

7371. Hoyle, the voter, was there at that time?—He was.

7372. His father, I believe, works for you?—Yes.

7373. You recollect his going away, do you?—I was not there when he went away; I had gone down with the police.

7374. Why did you go for the police?—Because there were so many people about, and they threatened to smash my warehouse. They said they would have the man out, or smash my warehouse.

7375. I believe several of the windows were broken?—Yes, and the iron stancheons of the windows were pulled out.

7376. And windows smashed?—Yes.

7377. You went to the police for their protection?—I did.

7378. Do you recollect being present when Hoyle's wife was in his company?—Yes.

7379. Was Mr. Bantoft with you?—I was in his presence with both Clay and his wife.

7380. Did you hear Mr. Bantoft say that he would make up a sum for him with a few friends, and supposing it was only 5*l.* a-piece, they would soon get it?—I did not.

7381. Will you swear that he never said anything of that sort?—I will swear that he never said anything of that kind, in my presence, at any time.

7382. Did you hear her say this, "Now Mr. Bantoft has given you a very good offer; do you think it will be wise for you to stop at the 'George,' and Mr. Bantoft said, yes, it will"?—I did not hear it.

7383. Did you hear Mr. Bantoft say anything to induce him, or to corrupt him, with reference to his vote?—I did not.

Cross-examined by Mr. *Temple*.

7384. You were a supporter of Colonel Crosland?—I was; I voted for him.

7385. Did you canvass for him also?—What do you call canvassing? I went along with a friend of mine occasionally to ask any friends we knew. I was not appointed a canvasser; I never was at any meeting where canvassers were appointed, and had nothing to do in that way.

7386. Did you canvass for Colonel Crosland?—I went along with my friend, my next door neighbour.

7387. And asked people to vote for Colonel Crosland?—Yes.

7388. Do you not call that canvassing for him?—No, because I did not canvass.

7389. Did you go and ask Hoyle for his vote?—I did not.

7390. Where was it you saw Hoyle first of all when any conversation took place?—In his butcher's shop: I was buying some meat, and I asked him, the same as I should do any friend, "Who are you going to vote for"?

7391. Did he immediately say, "I am going to vote for Colonel Crosland"?—He did.

7392. By the *Committee.*] When was that?—Some time previously to the election.

7393. Mr. *Temple.*] How long?—I did not make a note of the day.

7394. By the *Committee.*] Do you mean weeks before, or days before?—Weeks before.

7395. Mr. *Temple.*] Did you see him on the Monday before the election?—I believe I did; I am not sure.

7396. Where

7396. Where did you meet with him?—I do not know.

7397. Did you go to the "Cherry Tree Inn" with him?—I have been there with him, but I cannot say it was that day. I was there with him on the Tuesday.

7398. Were you there with him also on the Monday?—Not that I remember.

7399. Surely you can recollect whether you were at the "Cherry Tree" with him on the Monday or not?—I believe I was not.

7400. When you say that you believe you were not, am I to understand that you are not positive?—You are to understand that I cannot remember it. I do not remember being there on the Monday.

7401. By the *Committee.*] You met him at the "Cherry Tree Inn," but you do not remember what day?—I remember that I met him coming out of the "Cherry Tree" on the Tuesday, and went back with him into the "Cherry Tree," but I do not remember being there with him on the Monday.

7402. Mr. *Temple.*] Are you quite sure that you said nothing to him about having employed him?—Quite sure.

7403. You did not use the word "employment" at all?—No.

7404. Did he tell you that he had been in difficulties?—He did.

7405. Had he given up the shop then?—He had not given it up. The shop was closed as far as selling meat went.

7406. Some time before you saw him, you met him in his own shop when you were buying meat?—Yes.

7407. On the Monday or Tuesday before the election you say that he had closed his shop?—Yes.

7408. Did he tell you on that day that he was in difficulties?—No; it was not on that day he told me; I had known this weeks before; he told me weeks before.

7409. He told you weeks before that he was in difficulties?—Yes.

7410. Do you mean to say that you did not offer him any employment at all?—None.

7411. Was not a word said about setting his shop up again?—No, not in my presence.

7412. If that has been said it is an entire fiction?—It is.

7413. An entire invention?—Yes.

7414. You did not talk about it at all?—Not in any way to ask him.

7415. Did you talk about opening his shop at all?—No.

7416. Opening his shop again was never mentioned?—No; not in my presence.

7417. You begun to say, that "Not in any way to ask me"; was it in any way mentioned about opening his shop again?—No.

7418. Never mentioned from the time you heard he had shut up his shop down to the polling day?—No.

7419. Never mentioned in your presence?—No.

7420. You spoke to one occasion when Mr. Bantoft was there?—Yes.

7421. On what day was it you were present, when Mr. Bantoft was present?—On the nomination day.

7422. On this day, when you say you were at the "Cherry Tree Inn," was Hoyle's father with him?—Yes.

7423. Did Hoyle's father work for you?—He did, and was present the whole time we were together.

7424. Was a person of the name of Bottomley there?—No, not that I remember.

7425. Did you not hear Hoyle engaged at all as a messenger?—No.

7426. Did you, on the afternoon of the nomination day, see him?—I did.

7427. Where?—I saw him at the top of my warehouse yard, in the midst of a mob. He asked me to take him into my warehouse.

Re-examined by Mr. *Rodwell.*

7428. The "Cherry Tree" is close to your warehouse?—Yes.

7429. The father of Hoyle being an old servant of yours and your father, you knew the son's circumstances pretty well, did you not?—Yes.

7430. It was not necessary for him to make any statement to you as to his condition?—Not the least.

7431. By the *Committee.*] Did you say anything about its not being his interest to go against his customers?—No, I did not.

7432. Were you aware that Hoyle had any employment from Mr. Leatham's committee?—Yes, I was.

7433. When did you know that?—I knew that either Monday or Tuesday before the election.

7434. Did you go to the "Cherry Tree Inn" by chance?—I met him coming out as I was going over; I should not have gone in, but I met him and his father coming out, and his father being my servant and he his son, said, "We will go and have a glass together," and I paid for both of them. His father is not a voter; it was done with no reference to the election at all.

7435. Was that the first time you saw him, in the nomination week?—Yes, to the best of my recollection, it was.

7436. When you were in the "Cherry Tree Inn," was his employment by Mr. Leatham's committee mentioned?—I do not remember it; it might have been mentioned in casual conversation, but I do not remember it.

7437. Who informed you that he was on Mr. Leatham's committee?—His father; not that he was on the committee, but he was employed as a messenger.

7438. You took him to the "George" on that day?—Yes.

7439. And introduced him to Mr. Clay?—Yes.

7440. And you remember distinctly the words you used to Mr. Clay?—I just remember this: I went in and said, "There is a man here who wants a job, if you can give him one." I cannot tell the exact words: "He wants a job, if you can give it him; are you full up with messengers?" then left him with Mr. Clay; and what conversation took place I do not know.

7441. Had he asked you for a job?—Yes.

7442. And you do not remember whether the time he asked you for a job, he said anything about being employed by Mr. Leatham's committee?—I do not.

7443. By Mr. *Rodwell.*] Was that the only occasion, in your life, you have been into the "Cherry Tree Inn" with Hoyle?—No, not by scores.

7444. It is no very unusual thing for you to go in?—No.

7445. *Committee.*] You had been accustomed to meet Hoyle, and speak to him?—Many a time.

Mr. ALFRED BANTOFT, was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

Mr. *A. Bantoft.*

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7446. Are you a Solicitor, practising at Selby?—I am.

7447. You formerly lived at Huddersfield?—I did.

7448. In partnership with whom?—With Mr. Clough, about 12 or 14 years ago.

7449. On the Monday preceding the election did you come to Huddersfield?—I did.

7450. You are a voter, I believe?—I was last election; I do not know that I am now.

7451. For what purpose did you come to Huddersfield?—I was retained professionally.

7452. Retained professionally for Colonel Crosland?—Yes.

7453. What was the branch that was deputed to you?—I had to attend to the books in the Committee room, and check the votes as they were brought.

7454. Do you know a man of the name of Hoyle?—I do.

7455. You formerly were a customer of his?—When I resided in Huddersfield, from, I should think, the first day he opened his shop.

7456. Did you have some conversation with Hoyle about his vote?—About his vote?

7457. Yes?—That is rather a general question.

7458. Did you canvass him at all?—I did not.

7459. Did you ask him what would set him going again in the world, and did he tell you that 80 *l.* would do?—I did not.

7460. Did he say that to you?—He did not.

7461. Did you go on to say, "That is nothing, nothing much; you can have that and a trifle more, if you want it?"—I did not.

7462. Did you use words to that effect, or anything like it?—I did not.

7463. Did he say to you, "Well, I shall be very glad of it, whether I can have it lent to me, or as a gift?"—He did not.

7464. Did you then rejoin and say, "You can have it; there will be a few friends of ours here to-night, and supposing it is only 5 *l.* a piece, I can soon get it up?"—I did not.

7465. Nor words to that effect?—Nor words to that effect.

7466. Did you hear him say this, "Now Mr. Bantoft has given you a very good offer, and I think it would be as well for you to stop at the George," did you then say "Yes, it will, William?"—I did not. He expressed a wish not to go away, and he could not leave the "George."

7467. Why could he not leave the "George?"—Because of the mob and the riotous conduct going on outside. I had before accompanied him down from the warehouse to the "George," and he then expressed a wish to be taken there, and I accompanied him there.

7468. Is it true that you said to his wife "Well, William, have you told your wife about what I have promised you?"—No.

7469. Nothing to that effect?—No, I did not.

7470. You never did promise him anything?—I never promised him a single farthing, or anything else; I never made a promise to him.

Cross-examined by Mr. *Temple*.

7471. You have known him from his first commencing business?—I have known him the last 10 or 12 years.

7472. From his first commencing business?—From his first commencing business.

7473. And you were a regular customer of his?—When I resided in Huddersfield.

7474. When you resided in Huddersfield, you were a regular customer of his?—I patronised his shop.

7475. Did it happen that within a day or two of the election you said anything of this kind to him?—"Well, how are you getting on in your business?"—I did.

7476. You asked him how he was getting on in business?—I did.

7477. Did he tell you that he had failed?—He said he had to shut up his shop.

7478. Was that all that passed about it?—I said, "how is that." He said in reply, he either accepted or signed a promissory note, or a bill of exchange, and he had had to pay the money.

7479. Did he mention the amount?—He did not.

7480. Was it 80 *l.*—It was not.

7481. He did not mention the amount?—He mentioned no amount.

7482. When he told you he had accepted this bill, and had to pay it, and accordingly had to shut up shop, did you make any answer?—I said, "It is a bad job; I suppose you will have to open your shop again at some time," or words to that effect.

7483. When you said, "You will have to open your shop at some time," did he not say where is the money to come from?"—He said in reply, "Well, my wife's father says, if I support Colonel Crosland, he will never look at us again."

7484. What did you say to that?—I said, "Well, William, of course you know who have been your friends, and I should stick to them."

7485. Perhaps you added something, something to this effect, "We shall be quite as good friends as your father-in-law?"—No, I did not.

7486. "You know who have been your friends, and you ought to stick to them" that is exactly, what you said?—I said words to that effect.

7487. Do not suppose that I am trying you to the exact syllables; what I mean is that what you said was to that effect?—Yes.

7488. "I should advise you to stick to those who have been your friends"?—I said, "You know who have been your friends, and I should stick to them."

7489. You are precise as to your language, "You know who have been your friends, and I should stick to them"?—Yes.

7490. Did you mean by that he was to stick to his father-in-law?—No; I meant his customers, and so on.

7491. Did you hint to him that Colonel Crosland's party had been his friends?—I did not.

7492. You merely put it in that sort of suggestive manner?—Yes.

7493. Was nothing again said about his wife's father being angry in case he voted for Colonel Crosland?—No.

7494. Nothing more?—No.

7495. Were you present when his wife was present?—I believe she came into the room when I was there.

7496. Was

7496. Was he in the "George" at this time?—Yes.

7497. Did his wife want him to go away with her?—She wanted him to go, and he said he would not.

7498. Did she not tell him there was no danger; did she not say he could go easily enough without any danger?—I do not recollect that she said so in my presence.

7499. Did you say, "I think you had better stay at the 'George'"?—I did not.

7500. Did anybody in your presence say, "I think you had better stay at the 'George'"?—Not to my recollection. He was perfectly free to go or to stay.

7501. Did his wife stay with him?—Do you mean all night.

7502. Did you leave them together; did you learn that the wife was going to remain with him or not?—I understood that she was.

7503. Was no sum of money mentioned about setting him up in business?—Never.

7504. You said, "I suppose you will have to begin business again"?—Yes; "I suppose you will have to begin business again."

7505. Were you not curious to ascertain from him what sum would set him up?—No.

7506. When you told him that you supposed he would have to begin business again, you did not ask a single question about any amount that would be necessary?—No.

7507. Or where the money would come from when you told him that he would have to begin business again?—I did not.

7508. Was anything said about a loan?—No.

7509. May you not have said this, and then forgotten it; you know you were talking about it; you talked about his having been obliged to close his shop, and you told him he would have to start in business again?—I put that in a suggestive way: "You will be starting business again."

7510. Attend to me; you said, "You will have to start business again," in a suggestive way; what did you mean to suggest?—In the shape of a question, if you want to know. "You will start business again, I suppose." Mr. *A. Bantoft.* 1 May 1866

7511. Did you mean to say that there was nothing said about helping him?—There was not.

7512. Not a word?—No.

7513. Simply told him he would have to begin business again?—Words to that effect.

7514. You understand me always to mean that when I repeat the language?—I might say, "I suppose you will be beginning business again; and I might say, "I suppose you would be beginning business again."

7515. Or you would like to begin business again?—You may suppose what you think proper.

7516. You may have said, "You would like to begin business again"?—No.

7517. Simply, "I suppose you will be beginning business again"?—Yes.

Re-examined by Mr. *Rodwell.*

7518. You say that you put the word in a suggestive form; should I more accurately represent it if I said in an interrogative form?—Yes, in the shape of a question.

7519. That is what you meant, is it?—Perhaps I did not use the proper word.

7520. Did you really mean interrogatively?—Yes.

7521. You said you had been a customer of this man?—I had.

7522. Is it the fact that when you lived in Huddersfield you used to pass the man's shop nearly every day of your life?—Yes.

7523. Was he a man, in whom, to a certain extent, you took some interest at the time you were there?—Yes, ever since he was a lad.

JOSEPH WRIGLEY was called in; and, having been sworn, was Examined by Mr. *Waddy*, as follows:

7524. I BELIEVE you reside at Huddersfield?—I do.

7525. Are you a merchant?—I am.

7526. I believe you were one of Colonel Crosland's committee?—I was.

7527. And you were also, I believe, the vice chairman of Lord Milton's committee at the county election?—I was.

7528. Do you remember being in the "George Hotel," when Mr. Bantoft, and the witness Hoyle were there?—I do.

7529. Is it true that in your presence Hoyle told his wife that Mr. Bantoft had promised to set him up in business?—I never heard such a thing.

7530. Or anything to that effect?—Nothing at all bearing upon it.

7531. Is it true that he said anything of this kind; that Mr. Bantoft had given him a very good offer, and he thought it would be as well for him to stop at the "George"?—I never heard any such thing.

7532. How came you to see him?—He was brought there by the police, and I went to see what was to do.

7533. You told me that you were the vice-chairman of Lord Milton's committee?—Yes.

7534. Do you remember the Tuesday before the poll?—I do.

7535. At that time were the county candidates there?—They were. *J. Wrigley.*

7536. Do you remember whether they addressed the crowd from the windows of the "George Hotel"?—They did.

7537. Was the committee-room there?—Yes.

Cross-examined by Mr. *Temple.*

7538. From which window did they address the people?—From an upper window.

7539. You say that you were present when Mr. Bantoft and Hoyle were in the "George"? I was.

7540. Was Mrs. Hoyle there at the same time?—I saw that she was there.

7541. Then she was there probably?—She was.

7542. Did you hear her say anything?—I did not.

7543. Did you hear her ask her husband to go home?—I did not.

7544. Then you were not present at any time when she asked her husband to go home?—I was not; I was in the room but two or three moments.

7545. Did you find them there when you went in?—I did.

7546. During the two or three moments you were there you did not hear any of those things said

J. Wrigley.

1 May 1866.

said which my learned friend has asked you about?—I did not.

Re-examined by Mr. *Rodwell.*

7547. Did you go there for the purpose of asking Hoyle whether he wished to remain, or to go?—Yes; I put the question directly to him.

7548. What did he say?—He said that he wished to stay.

Examined by the *Committee.*

7549. Did he give any reason for wishing to stay?—He did not, I put the question very distinctly, if he would be kind enough to give an answer "yes," or "no," that there might be no question about it, and the answer was distinctly "yes."

7550. Was his wife with him then?—She was in the room.

7551. What induced you to put that question?—That there might be no question about it; he was a man brought in this way, and I wanted to have not a shadow of doubt on the point, and I thought the best plan was to put the question directly to him.

Mr. CHARLES WILLIAM MITCHELL was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

Mr. *C. W. Mitchell.*

7552. WHAT are you?—Cotton dealer.

7553. At Huddersfield?—Yes.

7554. Is that pretty near the "Flyboat Inn"?—No, it is up in the town.

7555. Is your mill near the "Flyboat Inn"?—My father's mill.

7556. You know a man of the name of Richardson, do you not?—Very well.

7557. And you recollect the Huddersfield election?—Yes.

7558. Were you on any occasion in the "Flyboat Inn," and did you offer Richardson money for his vote?—Decidedly not.

7559. Did you ever state to him that you would find him friends to start him in the coal business again?—No.

7560. Did you ever ask Richardson to go into the best room in the public house with reference to some money that was to be paid to him?—Decidedly not.

7561. Did you ever say to Richardson that if he would vote for Mr. Crosland you would give him 3*l.*?—Never.

7562. Or any other sum?—No.

7563. Or words to that effect?—No.

7564. It has been stated by Henry Brown that you gave him three sovereigns?—I never did.

7565. That you swear?—Yes.

7566. Did you ever give him anything?—No.

7567. By the *Committee.*] Any other money?—I never did.

7568. You never gave Richardson any money?—I did not.

Cross-examined by Mr. *Temple.*

7569. Were you in the "Flyboat Inn" with Richardson?—When.

7570. Do you remember ever being in the "Flyboat Inn?"—I have been in many times.

7571. Do you know a room in the "Flyboat Inn" called the best room?—I do.

7572. Did you ever see a bedstead in that room?—Not to my knowledge.

7573. You never noticed a bedstead?—I never noticed anything of the sort; I never should have thought of looking for a bed in that room.

7574. Were you ever in that room with Richardson?—Yes, many times.

7575. Was anybody else present with you when you were in that room?—Mr. Dewhurst, sometimes.

7576. On the nomination day were you in that room with him?—No.

7577. Did you meet Richardson on the nomination day?—No.

7578. Did you not see him at all on that day?—No.

7579. By the *Committee.*] You did not see Richardson at all on the nomination day?—I did not.

7580. Mr. *Temple.*] Did you give him any beer on that day?—I never saw him on that day.

7581. Did you give him any beer on that day?—I never did; I never saw him.

7582. Did you see him the day before the nomination day?—I am sure I should not, being market day; I should be attending to my business on market day.

7583. The day before that?—I cannot say.

7584. The nomination day was Wednesday?—Yes.

7585. Tuesday was market day?—Yes.

7586. You cannot say whether you saw him on the Monday?—I cannot.

7587. Were you in that house with him on the Monday?—I cannot say.

7588. Were you in that best room with him on the Monday?—I cannot say.

7589. Did you and he have any beer on that Monday?—I cannot say.

7590. Are you able to say whether you and he were alone together either on the Monday, the Tuesday, or the Wednesday, in that room?—I am sure, neither on Wednesday, nor on the Tuesday, I was never in that house.

7591. Monday you do not remember?—I would not be positive about Monday.

7592. Nor would you be positive, as I understand you, whether you were with him in that room?—What, on that day?

7593. On the Monday?—I have told you over and over again.

7594. Do not be angry; there is no harm in telling the truth a good many times; then of course, you cannot recollect, or you cannot be positive, whether you drank any beer with him on that day?—I cannot.

7595. That house is kept by Richardson's son, is it not?—I believe it is.

7596. Then of course you know Richardson's son's wife, Mrs. Richardson, by sight?—I do.

7597. Do you happen to remember whether she served you with any beer in that room on the Monday?—On the Monday I cannot say, she has served me on many occasions.

7598. Had you any conversation either on the Monday, the Tuesday, or the Wednesday, with Richardson, about his vote?—I cannot say on the Monday, but the Tuesday and the Wednesday, I never saw him.

7599. Am I to understand you that as regards the

the Monday your memory is a blank?—My memory is a blank as to the Monday, because in all probability I could not tell exactly, but I know that Tuesday would be the market day, and I should be attending to my own business; on Wednesday I am positive I never saw him.

7600. What happened on the Monday is a blank?—Yes.

7601. Perhaps you can tell me, whether or not on the Monday you had some conversation with Richardson about his vote?—I cannot.

7602. Do you know a person of the name of Henry Brown?—I do, or did; I do not know whether he is living now.

7603. Did you see Henry Brown either Monday, Tuesday, or the Wednesday?—Tuesday and Wednesday, I am sure I did not.

7604. Did you see him on the Monday?—I cannot say.

7605. Then you cannot say whether you saw him in the room leading to where he was working on that day or not?—I cannot say.

7606. Did you ever canvass or ask for his vote?—I have asked him how he was going to vote.

7607. Did you ask him to vote for Colonel Crosland?—Most decidedly I should if I did ask him.

7608. Did you?—I am sure I asked him.

7609. Was Colonel Crosland with you on any occasion when you asked him?—Never.

7610. Did any money pass from you to Richardson?—No, not in any shape or way whatever.

7611. In no shape or way whatever?—No.

Re-examined by Mr. *Rodwell.*

7612. You were not on Colonel Crosland's committee?—I was not.

7613. Did you ever canvass with Colonel Crosland?—I never did.

7614. Was Henry Brown formerly in your father's employment?—He was.

7615. Was he discharged from there?—He was discharged by Messrs. Robson with my sanction for neglect of work on the 29th of September last.

Mr. *C. W. Mitchell.*

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7616. You said you have often been in the "Flyboat," and had beer there; that is, at night time?—In the morning, or probably in the afternoon, just going to get a small bottle of beer, if I felt a little thirsty.

Examined by the *Committee.*

7617. If you are not quite sure whether you saw him on Monday or not, are you quite sure that you never at any time had this conversation with him, which has been stated, and that you offered to find him friends to set him up in the coal trade?—Never at any time.

7618. You never promised to give him 3 *l.*?—Never.

7619. You know the best room?—I know it very well.

7620. And you do not remember whether there was anything like a cupboard there?—I should have thought there might have been a cupboard, but I should not have thought there was a bed.

7621. Something that stood out from the wall?—That I could not say.

7622. By Mr. *Rodwell.*] Was there something similar to that (*producing a model*)?—Something similar to that.

7623. *Committee.*] Are you well acquainted with this room?—I am; I go into that room, because I can see into our mill yard.

7624. You cannot say whether this piece of furniture was in the room about this time?—I could not.

7625. You have never been with Richardson alone in the room?—Well, I could not say; I should say, "yes," most decidedly.

7626. On that day?—No, I could not say on that day.

7627. Do you remember going into the "Flyboat" inn about 14 days before the election, and standing a pint of beer all round to drink success to Colonel Crosland's candidature?—I did.

7628. Did Brown say he would drink success to Mr. Leatham in Colonel Crosland's beer?—He did.

7629. On that occasion, did you have any conversation with Richardson on the subject of his coal business?—I did not.

William Richardson was called in; and, having been sworn, was Examined by Mr. *Rodwell,* as follows:

7630. Do you live at Huddersfield?—Yes.

7631. You know the "Flyboat," I daresay, pretty well?—Yes.

7632. Do you know Mr. Mitchell?—Yes.

7633. Do you recollect the nomination day at Huddersfield?—Yes.

7634. On the day of the nomination, were you in the best bedroom, at Huddersfield, with Mr. Mitchell?—No.

7635. Did Mr. Mitchell on that day, or on any other day, offer or give you 3 *l.* if you would vote for Colonel Crosland?—Never.

7636. Or anything of the sort?—Never.

7637. Do you know Henry Brown?—Yes.

7638. Did he ever tell you that he saw Mr. Mitchell give you 3 *l.* in the best bed-room at the "Flyboat"?—He never mentioned it to me in no way.

7639. Do you recollect about 10 or 14 days before the election being in Mr. Mitchell's company while some other gentlemen had a glass of beer round to drink the health of Colonel Crosland?—I was waiting on him at the time, that is, filling ale.

W. Richardson.

7640. You are the landlord?—My son is the landlord.

7641. Did Mr. Mitchell then or at any other time ever tell you that he would find you a friend to start you in the coal business again?—Never.

7642. Did you ever tell a man of the name of Bolland that you were paid for changing your opinions?—No, I never did.

7643. You were not paid, were you?—No.

Cross-examined by Mr. *Temple.*

7644. Were you formerly in the coal trade?—Yes.

7645. Did you fail?—Yes.

7646. At the time of the election you were living with your son?—Yes, I was.

7647. In no business at that time?—No.

W. Richardson.

1 May 1866.

7648. Do you remember, some time before the election, Mr. Mitchell being at the "Flyboat," and paying for some liquor?—He has been at the "Flyboat" many times.

7649. Do you remember his proposing success to Colonel Crosland, and Brown refusing to drink, on one occasion?—Yes; I remember that.

7650. Had you any conversation that day with Mr. Mitchell about your business?—No.

7651. You know that room which is called the bed-room?—Yes.

7652. Were you in that room with Mr. Mitchell on the Monday before the election?—Was it the day before the election.

7653. On the Monday?—I have been with Mr. Mitchell in that room many times.

7654. The nomination was Wednesday and the polling day was Thursday; were you in that room with Mr. Mitchell on the Monday?—I cannot say which day, because we have been in there so many times.

7655. Can you recollect being there on the Tuesday?—No; I am certain we were not there on the Tuesday.

7656. On the nomination day?—No.

7657. Tuesday and Wednesday you are certain you were not there?—I was not there with Mr. Mitchell.

7658. You cannot recollect whether you were there with him on the Monday?—Well, I would not say that; I was not with him on the Monday, and I would not say that I was.

7659. In that room?—In that room.

7660. You do not say you were not with him there on the Monday?—No, I do not.

7661. Do you know Bolland?—Yes, I know Bolland.

7662. Did you say nothing to Bolland about the election, or about your vote?—No.

7663. Not a word?—Of course, I might have spoken two or three words to him when I have been passing his shop, in the bit of nonsense.

7664. In a bit of nonsense, did you show him a sovereign?—I never had one to show him.

7665. What did you say to him in a bit of nonsense about your vote?—They were all Yellows about us; Leathamites. They knew well I was going to vote for Colonel Crosland. If I said I would be one way and it was not right, and if I said I would be t'other way it would not be right, and I could not please them whichever way I said, and I thought, if I let you think you have your own way you will be content.

7666. Whichever way you polled you would let them have their own way; is that the meaning of what you say?—No.

7667. You say if you said you were one way you did not please one party, and if you said you were the other way you did not please the other party?—They would not believe me whichever way I said.

7668. Then you were a doubtful man, were you?—I was a doubtful man on Mr. Leatham's system.

7669. Were you a doubtful man on Mr. Crosland's system?—No.

7670. Were Leathamites present when you say you were a doubtful man on his system; did you tell them that you would vote for them?—No.

7671. Did you say something to make them believe it, out of a bit of nonsense?—Whatever I said in that light it would be nonsense.

7672. Then you did say something in that light?—I might say something.

7673. Then had you a bit of this nonsensical chat with Bolland about it?—I might have, if I had a little sup of something; I might stop and talk to him a bit, and cram him a bit.

7674. After you had a little sup, I suppose you cannot tell us what you did say?—Well, I have said so many things that it would take me a week to do that.

7675. But I dare say, out of nonsense?—Yes, out of nonsense.

Re-examined by Mr. *Rodwell.*

7676. Whenever you had the chaff, was it before, or after the election?—What I did, I did it free gratis.

7677. You do not quite understand me; the question is this, at any time, whether Monday, Tuesday, or Wednesday were you offered 3 *l.*, or paid 3 *l.* by any one?—Never.

7678. And you always made up your mind to vote for Colonel Crosland?—Yes.

7679. You used the word Leathamite system, did you say "system" or "esteem"?—I could not tell rightly what I said.

Examined by the *Committee.*

7680. Do you know whether there is a bed in the best room, or not?—Yes.

7681. Did you ever sleep in it?—No.

7682. What sized bedstead is it?—It is a common sized bed.

7683. Is it big enough for you to get into it?—Yes, if it was turned down.

7684. If it was turned up?—If it was turned up, I never tried that.

7685. Is that model like it?—Yes, very much like it, I should think if it was big enough, that it was it itself.

7686. Do you think that Mrs. Richardson could stand in it in her crinoline?—I never tried, I never took that pains to try.

7687. Do you remember having four bottles of beer with Mitchell?—Yes.

7688. In that room?—Yes.

7689. On what day was that?—It would be sometime in the afternoon. I could not mention the hour because there were so many people coming in. I could not note down everything and every hour every man came in, but we had beer together.

7690. What day?—I cannot recollect the day.

7691. Before the election?—They came in so often. One will come, and another will come in and say, "Will you have a glass," or "will you have a bottle with me." If I feel inclined I get one. I do not take note of every man that comes in.

7692. How do you feel sure that it was not on Tuesday or Wednesday?—On Tuesday Mr. Mitchell never comes there at all. He is minding his business in the town. On the day before the poll I am certain he never came near our house. It could not be neither of those days.

7693. Why not?—Because I never saw him.

7694. Do you remember the day?—No, I do not remember the day.

7695. You do not remember the day you had the beer with him?—No; there were three or four days between my seeing him and the poll-day.

7696. Your reason for remembering it is that the last time you met him was several days before the poll?—Yes; it would be three or four days before the poll.

7697. Did

7697. Did Brown ever tell you that he had watched?—No.

7698. Did Brown ever tell you that he saw you get three sovereigns?—No.

7699. He never told you that?—No.

7700. Did Bolland canvass you for Mr. Leatham?—Bolland was not a canvasser.

7701. Did he ever canvass you?—No.

7702. He did not ask you for your vote?—No.

7703. You did not promise?—No.

7704. Did Brown ever speak to you about Mitchell?—Never.

7705. You are sure of that?—Yes.

W. Richardson.

1 May 1866.

Mr. William Henry Aston was called in; and, having been sworn, was Examined by Mr. *Hannen*, as follows:

7706. Are you a Mill-owner at Huddersfield?—Yes.

7707. I believe you are one of the Huddersfield Improvement Commissioners?—I am.

7708. Were you on Colonel Crosland's election committee?—Yes.

7709. Did you take an active part in promoting his election?—I did.

7710. Do you know Alfred Woodhead or Broadbent?—Yes.

7711. Which of them do you know?—Woodhead is of South Parade now.

7712. Did you at any time send Alfred Woodhead to Broadbent?—I do not know that ever I did.

7713. Did you ever send him to fetch Broadbent to the "George Hotel"?—No.

7714. Are you quite sure that nothing of that sort occurred?—I have no recollection of it whatever.

7715. Do you remember the Monday before the election?—Yes.

7716. Was there a committee meeting on that day?—No, I think not.

7717. Was Broadbent ever sent for by you to anybody?—No.

7718. Do you remember you and Mr. Brook upon any occasion being together?—I saw Mr. John Brook several times.

7719. Did Broadbent on any occasion come to you when you and Mr. Brook were together and Mr. Eastwood, and did you, or anyone in your presence, say to them, "Well, have you seen Joe Cliff"?—No.

7720. Had Cliff, in fact, ever spoken to you, or you to him, about Broadbent?—Never.

7721. Did Broadbent at any time say to you, or to anyone in your presence, "I have got a fiver from Joe Cliff"?—Never.

7722. Did you, or more persons in your presence, say, "All right!" or anything of the kind?—No, nothing at all of the sort.

7723. I have put to you the specific words, but I ask you, did anything to the same effect, or anything like it, occur at all?—Never.

7724. Did you attend every meeting of the committee?—I could not be positive about that, but I should say that I generally did.

7725. The committee meetings, we have heard, were held twice a week; did you attend them pretty regularly?—Yes; I did not miss any that I am aware of; but it is just possible that I might have done.

7726. I asked you before as to the Monday before the election; do you remember that day?—Yes; I do.

7727. Recalling that day to your recollection, was there any assembly of the committee men at all in that room on that day?—No.

7728. How was the room used on that day?—There was an election going on belonging to Lord Milton and Mr. Beaumont, and the "George" was filled from top to bottom.

7729. By Mr. *Temple.*] The county election?—The county election.

7730. Mr. *Hannen.*] Were there a great many persons going in and out of that room?—Certainly.

7731. Were there persons unconnected with Colonel Crosland's election, going in and out of that room on that day?—Yes.

7732. Did Broadbent have a glass of brandy in your presence?—No.

7733. You know, I believe, that Joe Cliff is dead?—Yes.

7734. When did he die?—Either the 9th or 10th of February; I think it was on the 10th; it was early on the Saturday morning.

7735. That is, it was in the night of the 9th, or in the morning of the 10th of February?—Yes, I saw him dead on the Saturday night.

Mr. W. H. Aston.

Cross-examined by Mr. *Temple.*

7736. Did you see Broadbent at the "George," at all?—Yes.

7737. On what day?—I think it was the day before the nomination.

7738. What was he doing?—I think he was addressing envelopes.

7739. Had you any conversation with him at all?—No.

7740. Were you beside him during the whole time?—No.

7741. Of course you did not hear everything he said that day?—No, certainly not.

Examined by the *Committee.*

7742. When you say that on the Monday there was no committee meeting, do you mean there was none in the evening?—There was none in the day. That I recollect, for this reason: Mr. Crosland, and Mr. Learoyd, and Mr. Kay, I believe, went to canvass Deacon and Sheepridge.

7743. There was none in the evening?—No, I am not aware that there was a meeting at all that day.

7744. You do not recollect having been in the "George" that evening?—I could not say that positively, it might be; I do not know that I missed a day being in the "George" two or three weeks.

7745. You are quite sure you did not meet Broadbent that evening?—I never saw Broadbent that evening.

JOHN BROOK was called in; and, having been sworn, was Examined by Mr. *Waddy*, as follows:

J. Brook.
1 May 1866.

7746. I BELIEVE you are a House Painter and Decorator, living at Huddersfield?—Yes.

7747. I believe you were a voter at the last Huddersfield election?—Yes.

7748. You were not a member of Colonel Crosland's committee?—I never knew who the committee were.

7749. Do you know Alfred Woodhead?—I never knew him until after this inquiry commenced.

7750. You now know the man I mean?—I do.

7751. Do you also know a witness called Broadbent?—Very well, indeed.

7752. Is it true that you and Mr. Aston sent Woodhead to bring Broadbent to the "George"?—No.

7753. To the committee room, there?—No.

7754. Did you ever give him any directions about the election?—No.

7755. Did you ever assume any authority respecting it?—No.

7756. Do you know which was the committee room?—I do not.

7757. Do you know the "George Hotel"?—I do, very well.

7758. Did you, either in the "George Hotel," or anywhere else, ever say to Broadbent, "Well, have you seen Joe Cliff"?—No.

7759. Or did Aston, in your presence?—No.

7760. Or anybody else?—No.

7761. Is it true that he said in your presence, "I have got a fiver from Joe Cliff"?—No.

7762. Or anything to that effect?—Nothing to that effect.

7763. Is it true that you asked Broadbent if he had any objection to be employed on the committee?—I made a statement, or rather a party at the "George" asked me if Mr. Broadbent could be employed.

7764. By the *Committee.*] By a "party," do you mean an individual?—Yes, an individual at the "George"; I saw him in the passage, and I said, "I do not know, I am sure, I have no authority to employ anyone." He says, "Could you see Mr. Robinson." I said, "Well, I can see him." I went and saw Mr. Robinson, and I asked Mr. Robinson if they wanted a clerk, as Mr. Broadbent was in the passage, doing nothing. Mr. Robinson said they could do with one. I went out, and the only conversation that I ever had with Mr. Broadbent during the election, the only words I ever spoke to him, were to this effect, "Thomas, go home and go to bed, and come in the morning, at nine o'clock, and then they will find you a situation," or "find you work," or something to that effect.

7765. Why did you tell him to go home?—I thought he required to go home.

7766. Why?—Because he was not altogether sober.

7767. By the *Committee.*] What day was that?—I could not exactly say the day, but it was a few days before the election.

7768. Mr. *Waddy.*] Did he ever come into any room at all in the "George" with you?—Never.

7769. Where did this conversation you have just told us of take place?—In the passage, by the side of the bar.

7770. Was any reference made by him in your presence to a fiver, or any other sum of money?—Never.

7771. Did you ever hear anyone say, with regard to any transaction between Broadbent and the committee, that it was all right?—No.

7772. The morning after you saw him in the passage, were you at the "George"?—I was.

7773. Do you know the large room in the "George?"—Very well; I know the "George" very well.

7774. The Assembly Room, as it is called?—Yes.

7775. Did you see Broadbent in the Assembly Room?—No.

7776. Did you see him anywhere?—I did.

7777. What was he doing?—Folding circulars; there were three or four clerks round a table folding circulars, directing them, and putting cards, or something else, into them.

7778. Were there many circulars?—I should think there would be hundreds.

Cross-examined by Mr. Serjeant *T. Atkinson.*

7779. Were you active in the election?—Well, I took an active part in it.

7780. When did you begin to do that?—I signed the requisition to Colonel Crosland, and after that I took an active part in it.

7781. Did you give much time to it?—No.

7782. How did you take an active part without giving time?—I went in the evening to do what I possibly could.

7783. Where?—I went to the "George."

7784. Did you go into the committee room?—I told you before I never knew where the committee was.

7785. Did you go into a room?—I have been accustomed to go to the "George" some years.

7786. Did you go into a room?—Many a one.

7787. In the "George"?—Yes.

7788. During the election?—Yes.

7789. Was that room appropriated to election purposes?—I went in.

7790. Answer me "Yes" or "No," were the rooms that you went into appropriated to election purposes, and were they carrying on the election in those rooms?—There was speech making; I have gone into the assembly room there, and there was speech making and conversation during the evening.

7791. Was the business of the election being carried on there; you understand me very well?—No, I should say not.

7792. Do you mean to tell the Committee that?—I do.

7793. That you went in the evening into the "George," where they were speech making in one of the rooms, and that election business was not going on; do you mean to say that?—It was general conversation.

7794. Do you mean to say that the election business was not going on in the room in which you were?—What do you call election business.

7795. I call sending out circulars, clerks at the table, messengers coming in and going out, election business; was that going on while you were there?—I have seen the messengers going in and out of the rooms; I have seen circulars directed in those rooms.

7796. Did you assist in it?—No.

7797. Were you present while it was being done?—I have told you before; I have seen them

them directing circulars, and putting them in envelopes.

7798. Did you attend any of the non-electors' meetings?—No.

7799. Never?—No.

7800. None of them?—No.

7801. Did you canvass at all with anyone?—No.

7802. You never canvassed anyone?—During the election I have asked many a one if he would support Colonel Crosland.

7803. Who was this "party" at the "George" who asked if Broadbent had been employed?—I cannot say.

7804. Yes, you can?—No; until I saw the evidence Broadbent gave here last week——

7805. Who showed you the evidence?—I saw it in the papers.

7806. Go on. You say until you saw the evidence last week—— ?—I never knew my name had been brought into question as regards this inquiry; I never expected such a thing.

7807. Cannot you recollect who the party was that introduced Broadbent?—I cannot. *J. Brook.* 1 May 1866.

7808. Have you not the slightest idea?—Not the slightest.

7809. Did you ever see him before?—I cannot tell who he was.

7810. Did you ever see him before?—See whom before.

7811. The party who introduced Broadbent?—I tell you I cannot say who the party was.

7812. Did you ever see that party before?—I tell you I cannot remember the party.

7813. Will you tell me you never saw him before?—I cannot tell you who it was.

7814. You will not answer?—I cannot tell who it was.

Re-examined by Mr. *Hannen.*

7815. You do not remember who it was?—I do not.

DANIEL EASTWOOD was called in; and, having been sworn, was Examined by Mr. *Hannen*, as follows:

7816. ARE you a Woolstapler at Huddersfield?—Yes. *D. Eastwood.*

7817. I believe you interested yourself in Colonel Crosland?—I did.

7818. Do you know a person of the name of Broadbent?—Yes.

7819. Were you ever present on any occasion with Mr. Brook and Mr. Aston at the "George Hotel" when anything was said by Broadbent about having seen Joe Cliff?—No.

7820. Did you, or anyone in your presence, say to Broadbent, "Well, have you seen Joe Cliff"?—No.

7821. Did Broadbent ever say, there or anywhere else, at any time, in your presence, "I have got a fiver from Joe Cliff"?—No.

7822. Now I have put the exact words to you. Did anything whatever occur like that?—No.

7823. Anything to that effect?—No.

7824. Were you ever in Colonel Crosland's committee room?—No.

7825. By the *Committee.*] Were you never in the committee room?—No.

Cross-examined by Mr. Serjeant *T. Atkinson.*

2826. Were you never in any of the rooms of the "George" during the election?—I have been in the large room.

2827. Was not that used as a sort of committee room?—No.

7828. What was it used for?—It was used for the assembling of the supporters of Colonel Crosland.

7829. Had he not any clerks there?—I never saw one.

7830. No papers about?—No.

7831. To your knowledge were there any rooms there used for Colonel Crosland?—I believe there was a committee room.

7832. You were not in it?—I never saw it.

7833. Did you see Broadbent much about there during that time?—No.

7834. Did you never see him but once?—I did not see him once.

7835. You never saw him there at all?—I never saw him in the large room during the election time.

7836. Were you there much?—Within a fortnight of the election I was.

7837. I mean up to the day of the polling?—Yes.

7838. Had you occasion to go in and out of the "George"?—I went in and out many a time.

7839. Did you see no door-keepers there?—I have seen the passage full. Yes, I have seen door-keepers.

7840. You never saw Broadbent?—I never saw Broadbent in the room.

Re-examined by Mr. *Hannen.*

6841. You never saw him there at all?—No.

Examined by the *Committee.*

7842. You never saw Broadbent in the "George" during the election time?—In the large room?

7843. Did you see him in the "George"?—I have seen him in the passage and the yard.

7844. You did not see him in the long room?—No.

JOHN HENRY SWIFT was called in; and, having been sworn, was Examined by Mr. *Waddy*, as follows:

7845. I BELIEVE you are a Traveller, residing at Huddersfield?—Yes. *J. H. Swift.*

7846. Do you remember the Huddersfield election?—Yes, very well.

7847. Do you know a man called Broadbent?—Yes.

7848. On the day of the polling at Huddersfield, did you go to Broadbent's house?—No.

The *Chairman* stated that Broadbent had spoken of "William Henry Swift."

Mr. BROADBENT, recalled.

Mr. *Broadbent.*

7849. Mr. *Hannen.*] Is this the Mr. Swift?—That is the man.

1 May 1866.

JOHN HENRY SWIFT, further Examined by Mr. *Waddy.*

J. H. Swift.

7850. You say you did not go to Broadbent's house?—I did not.

7851. Is it at all true that you told him that they had just taken a voter away by force?—I did not.

7852. Did you ever go to Broadbent's house in all your life?—I never did; in fact, I never knew where he resided.

7853. On the day of the election did he go with you to the "Sphinx Nest"?—He did not.

7854. In the evening I believe you were at the "Sphinx Nest"?—What evening.

7855. The evening of the polling day?—No, I was not.

7856. Have you ever seen Broadbent at the "Sphinx Nest"?—Yes.

7857. When was that?—On the morning of the polling day.

7858. Had you seen him before you saw him at the "Sphinx Nest"?—That morning?

7859. Yes?—I did not.

7860. Did you order breakfast for Broadbent and his wife?—I did not.

7861. Did you order breakfast for anybody that morning at the "Sphinx Nest"?—No.

7862. Is it true that you said that Broadbent's breakfast was to be put down to Colonel Crosland's committee?—It is not.

7863. Had you breakfast yourself at the "Sphinx Nest"?—I had not.

7864. Did you see anybody have breakfast there that day?—I did not.

7865. Had you anything to do with any breakfast that was served there?—I neither saw anyone get breakfast, and I never got anything myself.

Examined by the *Committee.*

7866. What were you doing in the "Sphinx Nest"?—I heard a row in the morning, and I went up to see what was the matter.

7867. You say you saw Broadbent there; what was he doing?—He was walking up to the front; going to the house, I suppose.

7868. Was he in the inn?—No, he was not, when I saw him.

7869. Where was he?—Coming up the front of the house.

7870. You never saw him inside the "Sphinx Nest" that morning?—No.

7871. You went inside yourself?—I did.

7872. He did not leave it?—I walked away.

7873. Could Broadbent have been in the room at the "Sphinx Nest" when you were there, without your seeing him?—I should say not.

7874. What rooms did you go into in the "Sphinx Nest"?—Into the kitchen.

7875. That is the only room you went into?—Yes.

7876. Did you see his wife there?—Yes.

7877. Where?—Coming up the front; not in the hotel.

7878. Was his wife outside?—Yes.

7879. You mean to say that if Broadbent has sworn that you ordered breakfast and told him to put it down to Colonel Crosland's committee, it is false?—It is totally false; I never did any such thing.

7880. Do you frequent the "Sphinx Nest"?—Not as a rule.

7881. The "Sphinx Next" is a public house, is it not?—Yes.

7882. In whose interest was it at that election?—I believe the landlord voted for Colonel Crosland.

7883. Is it in Huddersfield, or a little way out of the town?—A little way out of the town.

7884. Were you employed by anybody during the election?—I was not, I was merely a strong partizan of Colonel Crosland.

7885. And voted for him?—Yes.

7886. And made yourself generally active in the election, I suppose?—Yes, to secure his return.

Mr. HENRY DYSON TAYLOR was called in; and, having been sworn, was Examined by Mr. *Hannen*, as follows:—

H. D. Taylor.

7887. ARE you a Woollen Manufacturer at Huddersfield?—Yes.

7888. I believe you were a member of Colonel Crosland's committee?—I was.

7889. And you are his brother-in-law?—Yes.

7890. Do you know a man of the name of David Shaw?—I do.

7891. Did you canvass him for his vote?—I told him I should be very much obliged if he would vote for us.

7892. By the *Committee.*] You did canvass him for his vote?—Yes.

7893. Mr. *Hannen.*] What did he say to that?—That he had not made up his mind, to the best of my recollection.

7894. What did you say upon that?—I simply said that I hoped he would vote with us.

7895. Is that all that passed between you?—To the best of my recollection.

7896. Is it true that you said that if he would vote for Colonel Crosland, you would give him something very handsome after the election, but not before, and then they could not bring it in as bribery?—I do not recollect anything of the kind.

7897. Did anything to that effect, or anything of the kind, pass between you?—No.

7898. Is it true that you said to him, "Thou hast known us a long time, and thou might trust us until after the election"?—No.

7899. If he has stated that, is it a falsehood?—It is.

7900. Did you say that if you could not get it from head quarters, you would give it him out of your own pocket?—I never did.

7901. Did you offer him in any shape or way, in any form of language, any inducement to vote for Colonel Crosland?—Never in the shape of a bribe.

7902. Did

7902. Did you ask him to go out and get his brother to come and vote for Colonel Crosland, and if he would not come and vote for Colonel Crosland, he must not come at all, and that you were to stop him if you could. Is there any truth in that?—I said he might write to ask his brother to vote for us.

7903. Is there any truth in that, that you told him that if he would not come and vote for Colonel Crosland, he must not come at all, and that he promised to stop him if he could?—I do not recollect that.

7904. Did anything of the kind pass?—I believe not.

7905. Did you say that you should pay him two days' wages, and find his fare and all, if he could get his brother to vote for Colonel Crosland?—No.

7906. Is there a word of truth in that?—No.

7907. By the *Committee.*] Did you ask him to go to Liverpool for his brother?—I said he might write to his brother; I asked him if he would write to his brother.

7908. You say you are sure you did not tell him to go to Liverpool?—To the best of my recollection, I did not.

Cross-examined by Mr. *Temple.*

7909. You speak with some doubt as to your recollection. You say that you do not recollect?—It is nearly twelve months ago.

7910. So that you may have forgotten what passed?—I speak as nearly to the point as my memory can possibly serve me.

7911. When you make the observation that it is nearly twelve months ago, do you mean that you may have forgotten all that passed?—It is possible that I may have forgotten.

7912. In answer to my friend, in the first instance, you said, "I do not recollect saying anything of the kind as that I would give him something handsome after the election;" you do not recollect that?—I do not recollect that.

7913. May you have said that and forgotten it?—No, I never did say it.

7914. What made you say you did not recollect it, in the first instance?—Simply because I did not.

7915. Merely because you did not recollect it?—Yes.

7916. Do you recollect that you did not say it?—I am certain I did not.

7917. You did see him about his vote?—I did.

7918. Did you offer him any inducement to vote?—No.

7919. You said, "I never offered him any inducement in the shape of a bribe"?—"Or anything else;" I might have added that.

7920. You did not give him any bribe?—Never a farthing.

7921. Did you say anything about what you would do for him after the election was over?—No.

7922. Do you recollect that you did not?—I did not.

7923. You recollect that?—I did not say anything.

7924. You recollect that you did not?—I say I did not say anything.

7925. You did tell him he might write and ask his brother?—I believe I did.

7926. Can you swear that you did not ask him to go over and see his brother?—Yes.

7927. You did not ask him to go over and see his brother?—I wished him to write to his brother, but not to go over and see his brother. He might have said something about going over to see his brother; but I said he was to write to his brother.

7928. When you said that, do you recollect whether you told him to go and see his brother?—I do not.

7929. Then you may have said that at all events?—I did not, to the best of my recollection.

7930. You say that he may have said something about going over to see his brother at Liverpool?—He might have done so; something was said about his brother.

7931. Anything about his railway fare?—I said that if his brother came to vote for Colonel Crosland, we should give him a pass.

7932. Did you not say that if he went to see his brother at Liverpool, you would pay the expenses to Liverpool?—No.

7933. Are you sure of that?—Yes.

7934. Quite sure?—Yes.

7935. Did you say anything about expenses of going to Liverpool, if he went to see his brother?—I said that if his brother came to vote for Colonel Crosland, we should give him a railway pass.

7936. My question is, Did you say anything about paying his expenses?—I answered that before; I said, "No."

7937. After the election, did he ever ask you for anything?—In connexion with what?

7938. Did he ever ask you for anything?—He was working in our mill, I should tell you.

7939. Did he ever ask you for any money?—No; I do not know "for money."

7940. Did he ever ask you for a present after the election?—Yes.

7941. Did he tell you after the election that you had promised him a present?—No; it was not in connexion with the election.

7942. What was the present in connexion with?—He was working in our mill.

7943. What was the present in connexion with?—He is a teetotaller. He came to me when he finished the work, and said that he was a teetotaller, and asked me if I would give him any allowance in the place of beer, which is the custom.

Re-examined by Mr. *Hannen.*

7944. Exact words have been put to you; at this distance of time, do you remember the exact words which passed between you?—I cannot remember them.

7945. Are you quite clear as to the fact that nothing of this kind passed between you as to your promising him any money after the election was over?—I am quite certain about that; I never intended to give him a farthing.

Mr. CHARLES KERSHAW HARE was called in; and, having been sworn, was Examined by Mr. *Waddy*, as follows:

Mr. *C. K. Hare.*

1 May 1866.

7946. I BELIEVE you are the Clerk of the Waterworks Commissioners?—Clerk and Manager.

7947. You are here upon a Bill they have before the House in another room?—Yes.

7948. Had you anything at all to do with the late election?—Nothing whatever.

7949. Do you know Far Town Bar?—Yes.

7950. Do you know a person called Sunderland?—Yes.

7951. Do you remember meeting Sunderland one evening by Far Town Bar?—I do.

7952. When was that?—It was on Tuesday, the night before the nomination day.

7953. I believe you had some private business with him, and you went into a public-house near?—Yes.

7954. What public-house was that?—The "Hereford Ox," but it is now called the "Royal Hotel."

7955. Did a conversation take place between you in the "Hereford Ox"?—Yes.

7956. Did anything at all take place between you with regard to Sunderland's vote?—No.

7957. Did you hear Sunderland say that it all depended upon who he was going to vote for?—I never heard such words mentioned.

7958. Did you ask him how much he wanted to vote for Colonel Crosland?—I never did anything of the kind.

7959. Is it true that he asked you for 70 *l.*?—He never did.

7960. Is it true that a person of the name of Binns said, "That is preposterous"?—I never heard such a word mentioned.

7961. By the *Committee.*] Was Binns there?—Binns was there.

7962. Mr. *Waddy.*] Did anything of that kind take place?—There is not a word of truth in it.

7963. Is it true that you said, "If Sunderland would ask for anything in reason, he might have it"?—I never said anything of the sort.

7964. Is it true that then he asked 45 *l.* to finish, and you agreed to give it him?—I never heard 45 *l.* or any other sum mentioned.

7965. Did you take any part whatever in canvassing for the election?—None whatever.

Cross-examined by Mr. *Temple.*

7966. Was there some agreement entered into?—It was club business that I was on.

7967. Was there a document drawn up that night?—There was a document commenced, but it was not completed.

7968. A document commenced?—A memorandum.

7969. The memorandum was about club business, I suppose you mean to say?—Yes.

7970. Are you both members of the same club?—No, we are neither members of the same club; but there was property in the club.

7971. What had you to do with the property?—He had been bound on account of that property.

7972. Did he confide this matter to you that night in that conversation?—I knew of it before.

7973. Did you introduce the subject?—Yes.

7974. You told him you had heard about that property?—No; the club was giving up, and they were going to sell the property.

7975. Did you tell him you had heard he was bound for the club?—No, he was not bound for the club.

7976. What was he bound about?—It was tenant-right property, and the party that lent money on that property went, along with the previous owner, to Sir John Ramsden's agent; and Sir John Ramsden's agent would not transfer it, and therefore Sunderland became bound, and that property was to be his bond.

7977. You were not a member of that club, nor him?—No.

7978. Had you anything to do with this property, or being bound?—Yes.

7979. What had you to do with it?—The party who originally had it would give up the lease to me; I was going to purchase it.

7980. Were you about to prepare some agreement or some document with Sunderland that night?—No, what I was going to prepare was this: I did not want the property; I was buying it on behalf of my wife's father, who lives in the neighbourhood. Sunderland had been bound on account of this property, and he wanting it, I was going to draw up a memorandum for him to have the lease delivered to him.

7981. Did you say that your wife's father wanted the property?—I was going to buy it on behalf of my wife's father.

7982. In this conversation, Sunderland said that he should like to have it?—I had heard that Sunderland wanted it, before.

7983. Then you introduced the subject, I suppose, in the conversation?—Yes.

7984. And then you agreed there and then that he should have it instead of your wife's father?—Yes.

7985. And you started to draw up a document relating to it?—Yes.

7986. What became of the document?—It was never finished, and it was destroyed.

7987. When did you destroy it?—At the time.

7988. You began to draw up the document, as I understand you, and before finishing it you destroyed it?—Yes.

7989. By the *Committee.*] Was there anything in this document, or in any document you wrote that night, with respect to the election?—Nothing whatever. I never had anything to do with the election in any shape or form.

7990. Were they talking about the election there?—They were talking about it in the room.

7991. Did you say anything about canvassing for Colonel Crosland?—No, I never interfered. I am a public party; I never interfere with an election, and I never heard a speech from any candidate, and I was never on the committee.

7992. Did you vote?—I have no vote.

7993. Mr. *Temple.*] Was Joe Rayner present at this meeting?—I do not know the man.

7994. Was there some one else in the room besides yourselves?—The room was full; there was a dozen parties in, I daresay, altogether.

CHARLES SUNDERLAND was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

C. *Sunderland.*

1 May 1866

7995. Do you recollect being in company with the gentleman who has just gone (Mr. Hare) some few days before the last Huddersfield election?—Very well.

7996. Had you some private business with him?—Not that I know of.

7997. Was there some matter connected with some property belonging to a club?—Yes.

7998. Was there a paper produced for the purpose of making a memorandum?—Yes.

7999. What became of that?—We met together on the road, and went into a public-house to get a glass of ale; it is a money club.

8000. I only wanted to know what became of the paper that was drawn up?—Mr. Hare had it.

8001. I want to ask your particular attention to this; did a man of the name of Binns ask you which way you were going to vote?—No.

8002. Did you say to him, "That will depend"?—No.

8003. Did Charles Hare ask you how much you wanted to vote for Colonel Crosland, and did you ask for 70 *l.*?—Never.

8004. Is it true that George Binns, upon that, said, "That is preposterous?" or something of that sort?—That is what!

8005. I suppose that is a word you would not follow; did George Binns say that was preposterous (that is out of the question); or something of that sort?—No; he never said such a word.

8006. Is it true that Binns may have said to you, that if you would ask anything in reason, you might have it?—He never said such a word.

8007. Is it true that you asked him 45 *l.*?—No.

8008. And that they agreed to give it to you?—No; never.

8009. Is that all false?—It is all false.

8010. By the *Committee.*] Do you know Rayner?—No.

8011. Do not you know him by sight?—I saw him last Saturday; I never knew him before.

8012. Did you see him at the time you were conducting this business with Mr. Hare?—No; I did not know whether he was there or not.

8013. Was it likely that the people in the room would have heard what you said to Mr. Hare?—There were plenty in the room.

8014. Was it likely they should hear it?—Yes; any one in the room could hear what he said.

8015. Sitting quite close to you?—We were close together.

8016. Were there any parties taking part in this business about the club; was this club to be confined to you and Mr. Hare, or was there anybody else engaged in it?—Nobody; Hare and me.

Cross-examined by Mr. *Temple.*

8017. Were you at the "George Hotel," the night before the election?—I believe I was.

8018. Did you stop there that night?—Well, I was there, because I was taken there by a set.

8019. Did you find yourself in bed there, next morning?—No.

8020. Where did you find yourself?—I found myself on a sofa.

8021. Do you recollect lying down on the sofa?—I recollect getting up off it.

8022. Was the sofa upstairs?—Yes.

8023. Had you been drinking at the "George"?—I had a glass or two.

8024. Then all the drink you had was that before you went to the "George"?—I had some drink before I went there.

8025. Do you remember going there?—I remember being there.

8026. I understand you do not recollect going there, or being taken there?—I recollect going there.

8027. But you do not recollect going upstairs to this sofa to lie down?—I was glad to go upstairs.

8028. You were in the "George"?—Yes.

8029. Did I understand you right, that you did not recollect going upstairs to lie down?—I recollect going upstairs.

8030. Were you at the "Crown" before you went to the "George"?—I believe I was.

8031. And the "Duke of York"?—Yes.

8032. Drinking at both places?—We had some drink at both places.

8033. At your own expense?—I did pay.

8034. How much?—I paid in my turn.

8035. It was turn and turn about, was it?—Yes.

8036. Were you not carried upstairs to this room where the sofa was?—No.

8037. You recollect walking?—Yes.

8038. Did you walk without any help?—Yes; I did.

8039. Did you walk from one hotel to the other?—No.

8040. How did you get from one to the other?—We rode.

8041. Had you a cab to ride from one of these inns to the other?—Either a cab or a fly.

Mr. JOSEPH HELLAWELL was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

Mr. *J. Hellawell.*

8042. I BELIEVE you are a Clothdresser and Merchant, living at Huddersfield?—Yes.

8043. I believe you were not on Colonel Crosland's Committee?—No.

8044. Do you know the family of the Kilners; Kilner the father, Kilner the son, and James Kilner?—Yes.

8045. I believe you have done business with them for years, have you not?—Yes.

8046. Have you been in the habit, before this election took place, of assisting them with money to meet bills?—Yes.

8047. Have you also had various transactions in business with the family?—Yes.

8048. Have you ever sold goods to any of those three Kilners, except in the ordinary way of business?—Never.

8049. Is it true, as James Kilner has stated, that you asked him for his vote, after you had said that you would assist him?—Never.

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8050. When did he first tell you as to how he was going to vote?—Some fortnight or so before the election.

8051. At the time he told you he was going to vote for Colonel Crosland, and not for Mr. Leatham, did he state to you the reason why?—Yes.

8052. What was it?—That Colonel Crosland came nearest to his views with regard to the Permissive Bill.

8053. Which of them said that? — James Kilner.

8054. Did you at any time make any promise to James Kilner, that you would take him, or his father, or his brother, to Colonel Crosland's warehouse?—Never.

8055. Did you do business with Mr. Crosland?—I never did.

8056. You had no interest with Colonel Crosland at all?—Not at all.

8057. Did you ever tell James Kilner that you could get them, that is the Kilners, some goods at Colonel Crosland's warehouse, and you would see if they could not have some goods, and they would not be particular as to the time they were paid for?—Never in my life.

8058. Did you ever say any words to that effect?—No, not to my knowledge; I don't recollect ever having any conversation of that sort with him.

8059. Did you ever say to James Kilner, Frederic Kilner, or James Kilner senior, that if they would vote for Colonel Crosland, or one of them, you would be their friend as long as you lived?—Oh, no.

8060. Did you ever make any promise to any one of the Kilners with reference to their vote?—Never, not to my knowledge.

8061. You add those words, "not to my knowledge;" do you feel positive about it?—Oh, yes; I will swear I never offered them any consideration for their vote.

8062. It has been suggested that you assisted James Kilner, by advancing a sum of 70 *l.*, to meet a bill which was due on the 7th of July?—So I did, to my sorrow.

8063. Had you ever advanced money to him before?—Oh, yes.

8064. Who was the drawer of that bill?—I drew it myself.

8065. If he had not met that bill, they would have come upon you for payment?—Of course they would.

8066. Did you advance him 70 *l.*?—Yes.

8067. At the time you advanced him that 70 *l.*, was anything said, or any reference made to the vote, either of him, or his brother, or his father?—No.

8068. What was the age of the bill?—It was a four months' bill which was due on the 7th of July. He came on the 6th of July for 70 *l.*, towards meeting this bill of 75 *l.*; but Frederic Kilner, about a week or ten days before that, was going off to Birmingham, and he mentioned this bill to me in this way: he said, "There will be a bill of yours due on the 7th;" and he says, "I am going to Birmingham on my journey, and if I cannot get all the money to meet that bill I suppose you will assist me, and help me to meet it?" I says, "Well, I will assist you as well as I can; but you must get all the money you can, because I am short of cash myself."

8069. On the nomination day, did Frederic Kilner bring you some money in part payment of that bill?—He brought me 20 *l.* in sovereigns.

8070. Did you get any more?—Oh yes. He gave me 51 *l.* 14 *s.* in customers' bills about a week or ten days after the election.

8071. Then you got the 20 *l.* back, and 51 *l.* in bills?—Yes.

8072. That was not quite so good as cash, I suppose?—No; because one of them has been dishonoured since, and I have made them bankrupts since.

8073. Did you tell James Kilner that if he did not vote for Colonel Crosland, he must go away?—Never, never.

8074. Is it also untrue that you said to James Kilner the father, "If your son James will not vote for Colonel Crosland, you must take him away"?—That is untrue too.

8075. Is this also untrue; that you would see that he had his expenses paid, both of them, and that you would go to the committee, and see them about it?—That is untrue; I never said anything of the kind.

8076. Did you take any particular interest in this election?—I was a little excited on the nomination day and the polling day.

8077. Previous to that, had you taken any trouble about?—No; only discussing it in public-houses where I was in the habit of going and getting my glass.

8078. You told me you were not on the committee, or took any part in Colonel Crosland's canvass?—I did not know then there was a committee.

8079. Did you ever canvass with Colonel Crosland?—Canvass with him?

8080. Yes?—Not to my knowledge; I have gone round with him; I accidentally met him in the street; I met Colonel Crosland in the street and Mr. Learoyd.

8081. What street was that?—I met them in Grove-street first, and Colonel Crosland asked me if I knew so-and-so; I said, "Yes, I will show you the houses where these voters reside."

8082. You pointed out the residences?—Yes; several in the immediate neighbourhood of where I lived.

8083. Did you go inside any single house with him?—I do not recollect that I went into any house with him.

8084. Do you know a man of the name of Eastwood?—William Eastwood?

8085. William Eastwood?—Yes.

8086. Do you know whether or not you asked him about his vote?—Yes.

8087. Do you recollect whether you did ask Eastwood for his vote or not?—I have not asked him which way he would vote.

8088. Is it true you offered to buy a dog of him?—I never mentioned a dog to him in my life, to my knowledge; I do not recollect ever mentioning a dog.

8089. It has been stated that you did; that is not true?—That is not true.

8090. Did you know a poor fellow of the name of James Brooke?—Yes, I did.

8091. Had you known him some years?—Oh, yes.

8092. He was an old friend of yours?—He was.

8093. What was his illness?—Consumption.

8094. Had he been long ill?—Yes.

8095. How many months before he died? Seven or eight months.

8096. He was not very well off, I believe?—

He

He was very badly off; a few months before his death he got very reduced.

8097. Did you learn from his wife that he wanted some wine?—I did.

8098. Did she mention the name of the medical man?—Yes.

8099. What did she tell you?—She told me that Dr. Wilson said, that the only chance for him to get better was by having a sup of wine, and she could not afford to get it; consequently I said I would send her a bottle of wine down; it was through accident I got to know of his sickness.

8100. How much wine did he have altogether?—From half-a-dozen to ten bottles.

8101. I believe you sent her to a wine merchant, and you paid the bill?—Yes.

8102. Was that act of yours in any way connected with his vote at the election?—Oh dear, no.

8103. Nothing at all to do with it?—Nothing at all to do with it.

8104. Did you see Dr. Wilson yourself about this man?—Yes, I did.

8105. Did you know from Dr. Wilson that what his wife had represented to you was true as to his being in a dying state, and requiring wine?—Yes, the Doctor told me it was the only chance for him, and I said, "He shall have a sup of wine."

8106. This was purely an act of charity?—Yes, it was, indeed.

Cross-examined by Mr. *Temple*.

8107. Do you remember Mr. Stansfield being returned in 1852?—Yes, I recollect it.

8108. Do you remember his being petitioned against?—Yes, I heard of it.

8109. Have you an uncle, Joseph Hellawell?—No. Mr. *J. Hellawell.*

8110. Had you then?—Yes.

8111. Did you get, through him, just about the time of that election, three 24-gallon casks of ale?—No. 1 May 1865.

8112. You did not?—No, nor a quart, nor a glass.

8113. Do not you know that the committee reported that Joseph Hellawell was bribed by obtaining for his nephew on condition of his vote?—What nephew.

8114. You, my man?—You are mistaken altogether.

8115. Then you will put me right?—My name is Joseph Hellawell.

8116. I know that, and your uncle's name was James Hellawell, was it not?—Yes.

8117. Do you remember there reporting that Joseph Hellawell (that is, your uncle) was bribed by obtaining for his nephew, on the condition of his vote, three 24-gallon casks of ale, a portion of which his nephew (that is, you) gave away among the electors on the day of the election, and the remainder of which he sold at a profit?—It is a falsehood what you have stated, because I had no beer at all; you ware making a mistake; it was a brother of mine.

8118. What is the brother's name?—Joshua.

8119. Then it was Joshua Hellawell, your brother, who disposed of this ale in the way mentioned, at the former election?—Yes.

8120. Where does Joshua Hellawell, your brother live?—He lives at Huddersfield; I wish you had him in London.

8121. What is he?—He is a cloth dresser.

8122. Is he in partnership with you?—No.

8123. Is he in your employment?—Yes.

8124. Was he in your employment in 1852?—Yes.

CHARLES BROOKER was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

8125. WHERE do you live?—Near Huddersfield. *C. Brooker.*

8126. You are a county magistrate?—Yes.

8127. Were you chairman of Colonel Crosland's committee at the last Huddersfield election?—I was.

8128. How far from Huddersfield do you live?—Five miles.

8129. Did you know a man, who is since dead, called Joe Cliff?—I did.

8130. Was he working at your house shortly before the election?—He was erecting some gasworks for us.

8131. Do you recollect, on one occasion, passing him on the road when you were travelling in your carriage to Huddersfield?—I did.

8132. I believe that the work was not ready for him to go on with that day, or something of that sort?—Not that I am aware of; he was going home in the evening; he was the master of the gasworks.

8133. I believe you very kindly gave him a ride?—Yes, I did; the same as I should to Wheatham himself.

8134. Did you also take up another man?—I have some recollection of it, but I believe I never spoke to that man.

8135. You do not know who it was?—Not at all; I should not know him again; I have some recollection that I did.

8136. It was not on any election business with Joe Cliff?—Not the slightest.

8137. Had you any election business with Joe Cliff?—Not the slightest.

8138. You were chairman of the committee?—Yes.

8139. Joe Cliff was in no way connected with the business?—Not the slightest.

8140. And this was quite an accidental circumstance?—Quite so.

Mr. TOM LEAROYD was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

8141. I BELIEVE you are in the volunteers?—Yes. Mr. *T. Learoyd.*

8142. And, in addition to being a manufacturer, you are called Captain Learoyd?—Yes.

8143. You are one of the Huddersfield Improvement Commissioners, and chairman of the Watch Committee?—I am.

8144. A few days before the election, did it come to your knowledge as well as other gentlemen in the town, that there was likely to be some

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some considerable disturbance at the election?—It did.

1845. You say that you are one of the Watch Committee; was the matter brought before the Improvement Board?—Yes.

8146. And you received this information officially, I believe, from the superintendent of the police?—We did.

8147. Up to that time had you had any communication or connection whatever with Colonel Crosland or his committee?—No.

8148. Did you know Mr. Robinson?—Yes.

8149. What did Mr. Robinson ask you to do with reference to the watchers?—To get some watchers for the night work.

8150. How many nights?—Two nights.

8151. What was the order you received from Mr. Robinson?—To appoint them, and pay them altogether.

8152. What number were you to get?—About 300.

8153. Did you collect those men, or make it known generally that you wanted men?—Yes, I did.

8154. Did they afterwards attend in the yard of the "George Hotel"?—Yes.

8155. On what day was that?—The day of the nomination.

8156. Did you give them anything; I do not mean money at that time, but did you give them anything by way of a sign?—No.

8157. A ticket?—I gave them a ticket with my initials to it.

8158. Was that on the morning of the nomination day?—During the evening.

8159. How many nights were these men to be engaged?—Two.

8160. That would be the nomination night?—The night before, and the night of the nomination.

8161. You gave these men tickets; were they the halves of old concert tickets?—Yes.

8162. What instructions were given to these watchers by you?—To see that no voter was run away with, and let me know if they were carrying anyone away.

8163. Had any attempts been made to take away voters?—Yes.

8164. Do you know as a fact whether any voters were taken away?—Yes, I do.

8165. Were these men that you appointed as watchers voters or non-voters?—I learnt afterwards that there were a few voters; I did not know it at the time.

8166. Was any order given, or any suggestion made, that voters were to be employed?—No.

8167. You say you found out afterwards that a few voters were among them. How many out of the 300 did you find out afterwards were voters?—From six to eight.

8168. In addition to the application made to you by Mr. Robinson, did other parties apply to you to get watchers?—Yes.

8169. Who were they? Were other watchers put on the night of the nomination? Did you put any more on yourself?—No.

8170. In your opinion, were those watchers necessary for the protection of the voters and for the protection of the Croslandites?—Certainly they were.

8171. During the night after the nomination, was the town in a very disturbed state?—It was.

8172. Where did you pass that night?—At the "George."

8173. Why?—I was afraid to go home.

8174. Were there others equally afraid with yourself?—Yes, several.

8175. Do you recollect Colonel Crosland himself leaving the hotel that night?—No.

8176. When were these watchers paid?—Each evening after their night's work, the following day.

8177. That is, the evening of the following day after the night's work?—Yes.

8178. Who assisted you in paying them?—Mr. Joe Vickerman.

8179. From whom did you receive the money for paying those watchers?—Mr. Learoyd.

8180. Mr. Nehemiah Learoyd?—Yes.

8181. Did you on any occasion ask any persons when they were appointed with reference to their having a vote, or for whom they were going to vote, or any question of that sort?—No.

8182. Did you take any other part in the conduct of the election, except with reference to these watchers and the appointment I have just spoken of?—No.

8183. Do you know a man called Thomas Hirst?—Yes.

8184. Had he any authority from you to pay money?—No.

8185. Or to engage men?—No.

8186. Had Joe Brook Richardson any authority from you?—No.

8187. In your opinion was the money that was paid these men fairly earned?—It was.

8188. Some of them got a little rough play, did they not?—Yes.

8189. Do you know a man called Joe Smith?—I cannot say whether I know him or not; not to my knowledge.

8190. Do you recollect making an arrangement with any particular man, that you were to give him 10 *s.* a-day, and 1 *l.* for the last day?—No; I never made such an arrangement.

8191. Were they all paid alike, as far as you know?—Yes.

8192. If a man of the name of Smith has stated that you say you do not recollect such an occurrence?—Never any such occurrence.

8193. Did you ever say to him, or to any one else, "You are to have a 5 *l.* note, and we are not particular to a pound or two"?—I never said such a thing.

8194 Did you suggest anything of that sort to him, or to anybody else?—No.

8195. Did you know who were the people who were voters and not voters, among the watchers?—No.

8196. You did not trouble yourself to inquire?—No.

8197. Are you aware of any occasion giving anything to any watcher, voters or not, who had not done, to the best of your belief, service for his wages?—I never gave anything; not a penny.

8198. Did you say to Smith, or anybody, that he should have 5 *l.*, and that you were not particular to a pound or two?—I never said such a thing

8199. Do you know a man called Thomas Dean?—Yes.

8200. Did you order Thomas Dean to take the chain off the waggon at the "Hill House" meeting?—No.

8201. And set it going to stop their speaking?—No.

8202. That is untrue?—That is untrue.

8203. Is

8203. Is it untrue that you told him you would stand by all consequences?—Perfectly untrue; it is a fabrication.

8204. Is it untrue that you interfered with the waggon yourself?—I never interfered with the waggon; more than trying to get on to the top of it.

8205. I believe you did not succeed, did you?—No; I was pulled down.

8206. Is the statement of Dean untrue, that you gave him a sovereign?—Yes.

8207. By the *Committee.*] You did not give him a sovereign?—Never.

8208. Mr. *Rodwell.*] Did you ever give to any man, except those employed as you have told us; did you give any one of them any money whatever?—No; none whatever.

8209. Is the statement that you told him to say that you lent it him, untrue?—It is.

8210. Dean has stated that you, with Mr. William Crosland and Mr. Tolson, took Hutchinson into a room at the "George"?—I never did anything of the kind.

8211. That is untrue?—That is untrue, entirely.

8212. Is it true that you sent down to fetch Lee, a voter, to the "George Inn"?—I never did.

Cross-examined by Mr. *Temple.*

8213. Were you the person who paid the watchers?—I, along with Mr. Vickerman.

8214. Three hundred, I think you say, at the least, were employed?—Yes.

8215. What were the watchers to do?—To see that some of the voters were not taken away.

8216. If there were any persons that you expected to vote for Colonel Crosland, were the watchers to keep watch upon them?—No.

8217. What were they to do?—If they saw anyone on the contrary side taken away, they were to let me know it.

8218. I think you cannot mean that; not on the "contrary side"?—No; our own side.

8219. If these watchers saw anyone being taken away by any person connected with Mr. Leatham's party, they were to interfere and prevent it?—No.

8220. What were they to do?—Come and let me know.

8221. Come and let you know where they had gone to?—Yes.

8222. That was all they had to do?—Yes.

8223. Did these 300 men go walking about the streets, or did they take particular districts?—About the streets, and different districts.

8224. Did a party of them take a particular district and stick to it, or did all the 300 walk about the streets?—Walk about the streets. The borough is four miles in extent.

8225. Did they come and tell you that anybody was being taken away?—No.

8226. These 300 watchers never came and informed you of any one of your voters being taken away?—Some of them came and said that some one was leaving.

8227. What?—Some of them made a report that some one was leaving.

8228. How many?—I cannot say how many.

8229. Half a dozen?—More than that.

8230. Some came and said, there were some of your voters leaving?—Yes.

8231. What do you mean by leaving; do you mean going over to the other side?—Taken away by some of the others.

8232. Did they come and tell you they were taken by force, or that they were merely walking with them?—Taken by force.

8233. What? That some of the Leathamites laid hold of them, and were taking them away by force?—They carried them from the "George."

8234. Carried whom from the "George"?—One voter I know of.

8235. What was his name?—Morris, I believe.

8236. One voter, some of your watchers came and reported, was being taken away from the "George"?—Yes.

8237. Can you mention any others?—I cannot think of them at present.

8238. You cannot mention any other?—No.

8239. Did you keep a note of the monies you paid to the watchers?—I had a list as I paid the men.

8240. Have you that list still?—No; I have never seen it since.

8241. Did you enter it in a book from the list?—No, it was on a paper.

8242. Only on a paper?—I did not enter them.

8243. What did you do with the paper?—I left it at the "George," and I have never seen it since.

8244. You had nothing to do except appointing the watchers, as far as I understand you?—No.

8245. You had nothing to do with appointing canvassers?—Oh, no.

8246. You say that the tickets you gave were some old half concert tickets?—Yes.

8247. Were those the only tickets you gave of that kind?—I should say they were.

8428. Then you gave no canvassers' tickets?—It was Mr. Robinson's duty to give the canvassers' tickets.

8249. You gave none?—Not that I am aware of.

8250. Did you sign any canvassers' tickets?—Sign any canvassers' tickets?

8251. Yes?—Not to my knowledge.

8252. May you have done so and forgotten it?—The tickets I had to sign were done so hurriedly for the number of watchers that were being put on, that I do not know what sort of paper it was.

8253. Look at that (*handing a card to the Witness*); do you see "Tom L." there?—Yes.

8254. Whose handwriting is that?—Mine. (*The same was put in as follows*):

"HUDDERSFIELD ELECTION,
July 1865.
Canvasser
for
CROSLAND.
No. 49. Tom. L."

8255. How many of those did you sign?—I should think very few.

8256. You do not remember signing any?—I signed 200 or 300 tickets.

8257. You did not remember signing any of these canvassers' tickets until I put that into your hand?—It must have been done at the same time.

Mr. *T. Learoyd.* 1 May 1866.

8258. How many canvassers' tickets will you undertake to swear you signed?—I cannot undertake to swear how many I signed.

8259. Do you think you signed half-a-dozen?—I do not know.

8260. Will you swear you did not sign 20 like that, with "Tom L."?—They were not tickets for canvassers.

8261. Were these the tickets you signed for the watchers?—No; they were different from that; they were only half a ticket.

8262. What do you call that; do you call it a canvasser's ticket, or not?—It is a canvasser's ticket.

8263. Will you undertake to swear you did not sign 20 of them?—I could not swear how many I did sign.

8264. Fifty, perhaps?—No; I am sure I did not.

8265. How much money altogether did pass through your hands?—About 350 *l.*

8266. For the watchers?—Yes.

8267. Did any money, besides what passed through your hands, pass through Mr. Vickerman's?—No.

8268. Whatever money passed, as from Mr. Vickerman and yourself, had first come into your hands?—Yes.

8269. £. 350 was the whole?—Yes.

8270. Who did you get the money from?—Mr. Nehemiah Learoyd.

8271. I dare say you were often in and out of that committee-room at the "George"—No; I did not belong to the committee.

8272. I dare say you were often in and out of the committee-room in communication with them?—Often in and out of the "George", but not in the committee-room.

8273. And having communication with the committee?—No; I had no communication with the committee.

8274. None at all?—No.

8275. Did you receive all your directions, whatever they were, from Mr. Nehemiah Learoyd?—No; my directions to engage the watchers was from Mr. Robinson.

8276. On the occasion of the lorry day, when you tried to get on the lorry, were you in the "Lamb Inn" that evening?—Yes.

8277. Did you go from where the meeting was, I mean where the lorry was; did you go from there into the "Lamb"?—Yes.

8278. Had you supper?—No.

8279. Had you drink?—No, I never had drink.

8280. Were the people who were assembled round you having drink?—I was in a room where there was no drink at all.

8281. How many people were in the room?—Fifty or sixty.

8282. Did you see any drinking going on in any of the rooms among the people who had been assembled?—I never noticed it.

8283. Did not you order some liquor that same night in the "Lamb"?—Certainly not.

8284. Did you pay for any?—No.

8285. Neither ordered or paid for it?—No.

8286. As far as you saw in the room where you were, there was no drinking at all?—No drinking.

8287. Fifty or sixty assembled in a public room, and no drinking?—It was the room that our Member had been addressing them before.

Re-examined by Mr. *Rodwell.*

8288. The people were there to hear Colonel Crosland make his speech?—Yes.

8289. And not for the purpose of drinking?—No.

8290. And what took place in the rest of the house you do not know?—No.

8291. You did not pay for anything, or order anything?—No.

8292. You say you may have signed some of these bits of card?—Yes; that is my name.

8293. Did you sign, to the best of your knowledge, any card except for the purpose of giving the watchers security when they came for their money?—That is all.

8294. Whether a concert card, or one of these cards, what was the object?—They could not be paid without it.

8295. I thought you said you could not tell whether you signed 10, or 20, or 30 bits of these bits of card?—No.

8296. What are the cards you say you signed for watchers; were they different to this?—Some were different; they were all colours; they were old concert tickets cut in two.

8297. There was no particular printed card for the watchers?—No.

8298. They were pieces of cardboard got up for the purpose, and you put your name that they might be paid; is that so?—Yes.

8299. Did you ever authorise any canvassing at all?—No.

Examined by the *Committee.*

8300. You never authorised anybody to canvass?—No.

8301. What was the pay of a watcher?—Ten shillings per night.

8302. Night and day?—No day time; only the night.

8303. If you signed this canvassing card, was it for the purpose of giving to a watcher, or giving to a canvasser?—Giving to a canvasser.

8304. Did you sign it by mistake then, where it was for a watcher?—I must have done so.

8305. All those you signed, you were ordered to sign by Mr. Robinson?—Yes; so that they would be paid merely with my signature.

8306. Were these watchers at all under your direction, with the exception of payment?—No.

8307. You knew nothing as to what they did?—I sent them out; I did nothing but appoint them, and send them out.

8308. And give them instructions what they were to do?—Yes.

8309. And what part of the town they were to go to?—Yes.

8310. Then you got information from somebody what electors they were to watch?—Yes.

8311. Who did you get it from?—From some of the watchers.

8312. From the watchers themselves?—Yes, they were to inform me.

HENRY BROOKS, was called in; and, having been sworn, was Examined by Mr. *Rodwell*, as follows:

8313. Do you keep the "Shakespeare's Head" at Huddersfield?—Yes.

8314. Do you recollect a fortnight before the election, one evening, Joe Cliff, Mr. Tolson, and Mr. Woodhead coming down and having some supper at your place?—I remember part of them, not all of them.

8315. You remember a party of gentlemen coming there, and having some supper about a fortnight before the election?—Yes.

8316. Do you remember Joe Cliff being there?—Yes.

8317. Did you provide a supper for them?—I had some supper provided.

8318. Who ordered that supper?—No one.

8319. Who paid for that supper?—Each and every individual that partook of it.

8320. By the *Committee.*] Each paid for himself?—Yes.

8321. Mr. *Rodwell.*] Was that after there had been a large meeting there of Colonel Crosland's friends?—Yes.

8322. It has been suggested, that was a case of treating, and that people had what they liked without paying for it; is that correct?—No; landlords do not do their business in that way.

Cross-examined by Mr. *Temple.*

8323. You did not sup with them?—No; I had not time.

8324. They supped in a different room from where you were?—I went to wait on them sometimes.

8325. Did you take in the bill?—No; they paid for it as they had it.

8326. Do you mean that as soon as the supper was over, each man put his hand into his pocket and paid his share, and then each man paid for the liquor he drank?—Yes.

8327. Did they say "well, what is the shot?" or "what is to pay"?—No.

8328. How did each man know what he was to pay for his supper?—I told him.

8329. Then it was so much a piece?—Yes.

8330. Do you say each man put his hand into his pocket and took out the money?—I got paid.

8331. Did you see each man put his hand in his pocket and take out the money?—No; some of them left it on the table; I cannot say whether they put their hands into their pockets.

8332. Did you see each man put on the table or anywhere the money for his share of the supper, or was it all paid to you in a lump by some one of the company?—Each individual paid for their supper when they took their glasses.

8333. Did you go round and collect from each man with a plate?—As I took for their glasses, they paid for their supper as well.

8334. You collected it from each man?—Yes.

8335. You are quite sure of that?—Yes.

8336. By the *Committee.*] Do you recollect Woodhead being there?—What Woodhead?

8337. Alfred Woodhead?—Yes.

8338. He helped me to wait?—He is a waiter.

8339. He called himself a commission agent?—I do not know what he is; he helped me to wait that night.

8340. Did he have any supper?—I do not know, I am sure he had plenty of drink that he never paid for.

8341. Did any one else pay for it?—I do not know; he drank plenty of stuff that he ought to have taken into the room; when he came for glasses he drank it and came back with the empty glasses and left the people wanting it.

8342. Was this gentleman the commission agent who did this?—Yes.

8343. Did you employ him as a waiter?—Yes; for that night.

8344. Mr. *Temple.*] Do you know if there were a number of prizefighters employed at that election?—No; I do not know.

8345. Were there not 12 or 13 staying at your house?—None stayed at my house; we do not keep beds, only for my own family.

8346. Were there not staying at your house 12 or 13 prizefighters who got their meat and their drink at your house?—I do not remember seeing any.

8347. Were there a lot of men that came from Manchester who stayed at your house at that time?—I do not know; there were some at my house, but where they came from I do not know.

8348. By Mr. *Rodwell.*] Some what?—Some men.

8349. Mr. *Temple.*] Were there 12 or 13 of them?—I do not know how many; there would be, I should think, eight or ten at any rate.

8350. Were they strangers in the town; did you know them?—We have strangers every day at our house.

8351. Were these men Huddersfield men?—Some of them were, and some were not.

8352. How many days before the election did they come?—I only saw them on the nomination day.

8353. Had they been staying at your house several days before?—No.

8354. It was on the polling day you saw them?—Yes.

8355. How early in the morning of the polling day did you see them?—At breakfast.

8356. Eight or ten men presented themselves at breakfast in your house?—Yes.

8357. Did they not call themselves prizefighters?—Not to my knowledge.

8358. Who paid for what they ate and drank?—Who paid for it?

8359. Aye?—Mr. John Haigh for those men; they were his workmen for anything I know.

8360. Was it John Haigh, jun.?—Yes.

8361. Did he pay you with a bank note?—With a bank note?

8362. Aye?—Oh, yes; he has paid me many a one.

8363. What has become of that bank note?—That bank note?

8364. Yes?—I paid it again to those who wanted money of me.

8365. Did it come back to you?—Sir?

8366. Did it come back again to you?—I had one that did come back.

8367. Was the one that came back to you the one that Haigh had given you?—Yes.

8368. Then he paid you with a bad note?—No; it has proved a good one since.

H. Brooks.

1 May 1866.

Re-examined by Mr. *Rodwell.*

8369. Were not these Mr. Haigh's own men?—They were his warehousemen.

8370. Do you know who these people were that Mr. Haigh paid for?—I know some of them, and some I do not.

8371. Who were those you know?—One was Mr. Hobson.

8372. Who were they working for?—Mr. Haigh, all of them.

8373. How many were there?—I think there would be 8 or 10.

8374. Eight or 10 of his own men?—Yes.

8375. Did you know, or hear from them, what they had been doing the previous night?—No; and it was not my business.

Examined by the *Committee.*

8376. Were any of them voters?—I am sure I do not know. I know nothing at all about it; only, they are his men, and he sent them for refreshment.

8377. By Mr. *Temple.*] Were they Mr. Haigh's ordinary workmen?—Yes, for anything I know. Some of them, I know, have been there ever since I kept the "Shakespeare;" that is above five years.

8378. In Mr. Haigh's employment?—Yes.

8379. Has Mr. Haigh as many as 10 men in his employment at all?—I do not know. I never was in his warehouse. I do not know how many men he employs.

8380. By Mr. *Rodwell.*] Have these men ever breakfasted there before, in the morning?—I have had to send refreshment up to the warehouse.

8381. In the morning?—Yes, and at 10 o'clock at night.

8382. Is it an unusual thing or not for men who are employed at Mr. Haigh's to have refreshment from your place?—They have it regularly.

[Adjourned till Eleven o'clock to-morrow.

Wednesday, 2nd May, 1866.

RIGHT HONOURABLE LORD NAAS, IN THE CHAIR.

The names of the Members were called over;—all present.

Mr. THOMAS ROBINSON was called in; and, having been sworn, was Examined by Mr. *Waddy*, as follows:

Mr. *T. Robinson.*

2 May 1866.

8383. I BELIEVE you are a solicitor, practising at Huddersfield?—I am.

8384. You and Mr. Nehemiah Learoyd acted as joint solicitors to Colonel Crosland's committee, at the last election?—We did.

8385. What was the duty chiefly allotted to you in connection with the election?—The inside work; that is, preparing the necessary papers, engaging the messengers and door-keepers, and seeing the agents who would be required to attend to the polling booths on the day of election.

8386. The more important part of the business, I believe, was left to Mr. Learoyd?—It was.

8387. I think you told us that you engaged the door-keepers?—I did.

8388. How often were your committee meetings held?—Twice a week.

8389. Did anyone attend them but the 13 members of the committee, the secretary, and the solicitors?—No.

8390. Did you ever see any other person present in the room at the time of the committee meetings, except those that have been named?—No.

8391. I believe you had a number of messengers; under whose direction were they placed?—Under Jonas Walker's.

8392. Do you know a man of the name of James Hutchinson?—I had a man of the name of James Hutchinson in my employ at the time of the election.

8393. In what capacity?—As messenger, or to do anything I required him to do.

8394. Do you remember who it was that recommended him to you?—I do not.

8395. Mr. Tolson?—Probably it might be, but I really cannot recollect.

8396. Did any other person except yourself engage messengers?—No.

8397. Do you remember whether you engaged Hutchinson on the Monday before the election?—I engaged him on the Monday.

8398. Did he continue to act as messenger until Friday?—He did.

8399. Do you remember whether on Friday you were able to attend to the messengers?—I did not attend to them on the Friday. After the declaration of the poll I felt tired and knocked up, and I determined that I would go home, and they should all be paid off on the Saturday.

8400. Do you remember anything occurring on the Saturday between you and Hutchinson, with regard to where he lived?—Yes, he complained very much that he had not got his payment on the Friday, and then I got to know, for the first time, that he resided in Halifax; and, in consequence of that, I said, "Very well; I think you are fairly entitled to another day;" and I allowed him six days, instead of five days.

8401. By the *Committee.*] Because he was residing away?—Yes, he said he had to stay all night.

8402. Mr. *Waddy.*] Did you sign for six days' wages?—I did.

8403. Was that made out on the same scale as all the other messengers were paid?—Yes.

8404. By the *Committee.*] Is Hutchinson a voter?—He is, I believe. I was not aware of it until the other evening.

8405. Mr. *Waddy.*] At the time that you engaged him, or paid him, had you any knowledge of his having made a bargain of any sort with reference to his wages?—No.

8406. At the time you authorised his payment, did you know he had neglected his work at all?—No.

8407. Can you tell us what was his work?—He was under the superintendence of Jonas Walker, who I put over the heads of all of them; and, of course, he had to attend as messenger to do anything we required.

8408. Do you know, of your own knowledge, whether he did neglect his work, or whether he stayed to do it?—It is quite impossible for me to say, because I could not be everywhere.

8409. Do you remember, when he came to be paid, his saying anything about having done any night work?—He came back to me in a great rage, and said he had not been allowed for night work. I said, "I was not aware you had been engaged in the night;" and then I made inquiries of Jonas Walker, and he told me that he had. In consequence of that, I made him an extra allowance.

8410. Did he tell you how long he had been engaged at night?—He wanted two nights; I allowed him 12 *s.*

8411. I believe you have been connected with the elections at Huddersfield a great number of years?—Twenty-five years.

8412. Had this engagement of Hutchinson, or this payment of Hutchinson, any reference whatever to his vote?—I did not know he was a voter until the other evening.

8413. After this inquiry began before the Committee?—Yes, I came up on Sunday evening; I forget whether it was Sunday evening or Monday evening I first discovered that he was a voter.

8414. I need hardly ask you whether you

Mr. *T. Robinson.* 2 May 1866.

asked which way he was going to vote, or his intention?—No; I have been engaged in elections 25 years, and I never during that period asked the question of any man I engaged, whether he was a voter, nor did I ever attempt to exercise any undue influence; I have now retired from being political agent, and I have that to thank myself for.

8415. With regard to this particular election did you at any time during the election either employ, or pay any men for anything but the strict value of his services as far as you knew?—No.

8416. By the *Committee.*] Had you any conversation with Hutchinson, as to the amount he was to receive at the time he was engaged?—No.

8417. Did you say to him that you would make his wages 7 *s.* a-day?—No, I did not.

8418. Did you say that you would give him 30 *s.* more?—No.

8419. And that he could pay it back again after he got his wages?—No.

8420. Then if he said so, that is false?—It is false.

8421. Did you say to him "I suppose you will vote for the colonel"?—I did not know that he was a voter.

8422. If he said so, that is false?—It is quite untrue.

Cross-examined by Mr. *Temple.*

8423. You say the Committee sat twice a-week?—Yes.

8424. Read this:—"The Committee for securing the election of Colonel Crosland sits daily at the George Hotel." Thomas Clay was your secretary, was he not?—Yes, to superintend the room.

Examined by the *Committee.*

8425. How far is Halifax from Huddersfield?—Seven miles.

8426. You consider that he was entitled to another day's wages?—I do; if I kept a man a day over he was entitled to it. It was my fault.

Mr. John Sunderland Tolsons, was called in, and having been sworn, was Examined by Mr. *Hannen,* as follows:

Mr. *J. S. Tolsons.*

8427. Are you a wine merchant at Huddersfield?—Yes.

8428. I believe you were a voter at the last election?—Yes.

8429. Did you vote for Colonel Crosland?—Yes.

8430. Beyond that did you take any part in the election?—No.

8431. Do you remember being at the "George Hotel," when a person of the name of James Hutchinson was there?—Yes.

8432. In what part of the "George Hotel" were you when you saw him?—In the passage.

8433. What had you gone there for?—On business.

8434. Was Hutchinson there alone, or with anyone?—A person named Dean came with him.

8435. Did you know Hutchinson?—Yes, he used to be a tenant of mine.

8436. Did you know that he was a voter?—No.

8437. What did you know of Dean?—I knew him as a hawker, a man who sells butter and eggs, and geese during the season.

8438. And is that the only part of the "George Hotel" you were in on that occasion, in the passage?—Yes.

8439. Did Dean or Hutchinson make any application to you?—Dean did.

8440. What did he say?—He asked me if we could make room for a messenger; Mr. William Crosland was just coming out of the room, and he said he would go and see Mr. Tom Robinson.

8441. What did you say yourself when he asked whether you could make room for him?—I did not say anything.

8442. Was any reason given for asking for employment for Hutchinson?—He said his wife was dangerously ill, and he was out of employment, and he had not a shilling in the world.

8443. By the *Committee.*] Was it Dean or Hutchinson said that?—Hutchinson.

8444. Mr. *Hannen.*] You say that you said nothing, but upon that being said, did Mr. William Crosland say anything?—He said he would go and see Mr. Tom Robinson.

8445. Did he say for what purpose?—To get him employed as a messenger.

8446. Did you know anything about what Mr. Robinson's duties were?—No.

8447. Did Mr. William Crosland go in?—Mr. William Crosland came back and stated that Mr. Robinson could find room for him as a messenger.

8448. Is that all that occurred then?—No.

8449. Tell us what more occurred then?—He asked me if I could let him have any money.

8450. By the *Committee.*] Who asked you?—Hutchinson.

8451. Mr. *Hannen.*] Did he give any reason for asking for money?—He said his wife was very ill, and he wanted money, and he had not a shilling in the world.

8452. What state of feeling did he appear to be in?—The tears were running down his face. There was no mistake about that.

8453. From his language and manner did he appear to you to be in distress?—He did.

8454. You say he asked you to lend him some money, what answer did you give to that?—I told him I could not.

8455. Did he repeat the application?—He repeated it to Mr. William Crosland.

8456. Did he say anything as to the mode of repayment?—He said that if he would advance him a little money he would pay him when he got his wages as a messenger.

8457. When he made that application was anything said about Mr. Robinson?—No.

8458. Finish the conversation, if you please?—I believe that Mr. William Robinson advanced him something, but what it was I know not.

8459. On that application Mr. William Crosland advanced him something?—Yes, with a perfect

a perfect understanding that he was to be repaid when he received his wages.

8460. Was that all that occurred?—That is all that occurred.

8461. Did he go away after that?—I never saw him afterwards.

8462. Is it true that you said, "What races are there on to-day"?—No.

8463. Was that said by any one in your presence?—No.

8464. Is it true that, on that being said, Mr. William Crosland said "Pontefract"?—No.

8465. Is it true that he said, "You can deal with the young man better than me"?—No.

8466. Or that you said so?—No.

8467. Is it true that Mr. William Crosland said, "Then, I engage you as a messenger for a week"?—He said that Mr. Robinson would engage him.

8468. That is, after he had been in to Mr. Robinson he came back and said Mr. Robinson would engage him?—Yes.

8469. Is it true that Mr. William Crosland said on the first occasion, "I engage you as a messenger for a week"?—No.

8470. Is it true that Mr. William Crosland said that he must not go to his work; that he engaged him as a messenger for a week?—No.

8471. Was anything said about the amount of wages he was to have?—I did not know anything at all about what he was to receive.

8472. I ask you whether a single word was said in your presence about the wages he was to receive?—No.

8473. Either by the man himself, or by Mr. William Crosland, or yourself?—No.

8474. Is it true that anything was said either by you or Mr. William Crosland about his vote?—No.

8475. Did Mr. William Crosland say, "I suppose you will vote for the Colonel"?—No, not in my hearing.

8476. Did you see this person go away from where you were; did you hear the whole of the conversation that occurred?—That is what I did hear. Mr. *J. S. Tolsons.* 2 May 1866.

8477. You have said that you did not see him afterwards?—No.

8478. By that, I presume you mean during the election?—No.

8479. Did he, however, afterwards come to you and make any application on the subject as to pay?—He did.

8480. What was it?—He said that he had not been paid the full amount he was entitled to; I did not ask him what it was; I wrote a note to Mr. Tom Robinson on an envelope.

8481. Did he say what he wanted to be paid for?—For night-watching; he said he had not had full pay; I said, "Whatever you are entitled to, Mr. Robinson will give it you." I did not know anything about the amount.

8482. Then you wrote some note to Mr. Robinson?—Yes.

8483. What was there in that note?—I requested Mr. Robinson to pay him what was due to him, and there must be some mistake, according to this man Hutchinson's statement.

8484. Had you or did you assume any authority in the matter?—Not the least.

8485. Did you, except in the way you have described with regard to this man, in any way interfere with the engagement or employment of any single person at that election?—No.

Examined by the *Committee.*

8486. Was there no allusion at all to Pontefract races in your presence?—No.

8487. Was anything said at that interview as to his being a voter?—No.

8488. Nothing whatever was said about his being a voter?—No.

8489. Did you know that he was a voter?—No.

JONAS WALKER, was called; and, having been sworn, was Examined by Mr. *Hannen,* as follows:

8490. WERE you employed at the last Huddersfield election as door-keeper and head messenger for Colonel Crosland's committee-room?—I was. *J. Walker.*

8491. Were you engaged by Mr. Robinson?—I was.

8492. When the committee meetings were held, did you keep the door?—I kept the door.

8493. And you alone?—And me alone.

8494. Did any other person than a member of the committee ever enter the committe-room when they were sitting?—Not to my knowledge.

8495. With regard to Alfred Woodhead, was he engaged in any way?—I had him engaged as a messenger.

8496. Was he under your direction?—He was under my direction.

8497. Did he ever keep the committee-room door?—No.

8498. Did you always keep that yourself?—Yes, during the committee's sitting.

8499. By the *Committee.*] What was he engaged as?—Messenger.

8500. Mr. *Hannen.*] Only as messenger?—Only as messenger.

8501. When the committee sat, did the clerks and messengers leave the room?—I had orders to tell them they were to leave the room and put their papers away until the Committee had done sitting.

8502. Then, when the sitting of the committee was over, did they return to that room?—Yes, the clerks did.

8503. At other times, then, when the committee were sitting, did a great number of persons come into that room?—Oh yes; it was perfectly open for anybody to go in.

8504. You know James Hutchinson?—Yes, I do.

8505. When did he begin to do anything?—He began on the Monday morning during the election week.

8506. Was he under you?—He was under my control.

8507. Did he render services day by day there?—Day by day.

8508. Were there a great number of things for Hutchinson and the other persons under you to do?—Oh yes.

8509. Amongst other things, were there a great number of circulars to send out?—A great many.

8510. Thousands, I believe; how many were there?—I cannot tell exactly; I think the constituency at that time was about 1,600, and I believe three times there were circulars sent out to every elector.

J. Walker.

2 May 1866.

8511. Was Hutchinson engaged in folding, and directing, and sending those circulars?—Delivering.

8512. By the *Committee.*] Delivering only?—Delivering only.

8513. Mr. *Hannen.*] Did you ever permit his being away from his work?—He took French leave sometimes.

8514. Did you ever give him permission to be away from his work?—No, except at meal times; when he went to his dinner.

8515. Where did he reside?—In Huddersfield.

8516. At this time did he reside out of Huddersfield?—I do not know where he resided.

8517. Did he, in fact, remain until the Saturday?—He remained until the Saturday.

8518. Did he make any application to you on the subject of his services?—On the Friday he did, after the declaration of the poll.

8519. What occurred then?—He wanted to know who was to pay him, and how he was to be paid. I told him he must make his account out at 1 *l.* a week, and if he had been at any further expenses he was to charge them and to make his account out to Mr. Robinson, and Mr. Robinson would certify his account, and then he would get it paid.

8520. Did he make any special application to be paid on the Saturday?—He did not get paid on the Friday, and on the Saturday I told him, "You did not get paid yesterday, charge for this day."

8521. Did he give any reason why he should be paid for the Saturday?—Because he was waiting until he did get paid.

8522. Because he was detained another day?—Yes; he had to attend at Mr. Robinson's office another day.

8523. Did he also say that he had been employed as a watcher?—Yes, occasionally he had.

8524. Did he ask to be paid for two nights for watching?—I believe he asked for three.

8525. What did you say to that application?—I said he must see Mr. Robinson and make the best bargain he could with him.

8526. Further than that, did you interfere in the matter?—No.

Cross-examined by Mr. *Temple.*

8527. You said, that when the Committee was not sitting, the room was open to any one. When you say it was open to any one, you do not mean to say you were keeping the door then?—I mean to say it was open to any one whom we thought favourable to Mr. Crosland. I should not admit a drunken blackguard.

8528. Do you mean to say that you continued to keep the door at other times, when the committee was not sitting?—I was about at the time. They did not need any doorkeeper except when the committee was sitting.

8529. Did you, in fact, keep the door then?—I would always be at the door.

8530. Did you, or not, keep the door at the time when the committee was not sitting?—Most decidedly; I was watching the door.

8531. At all times?—When I was on duty.

8532. By the *Committee.*] You must answer the question. Did you keep the door when the committee was not sitting?—I did.

8533. Mr. *Temple.*] Then you always kept the door; were you all day long keeping the door?—Most decidedly.

8534. Every day, whether they were committee days or not?—Yes.

Re-examined by Mr. *Rodwell.*

8535. Do you mean that you were all day sitting at the door; or do you mean part of the time you were sitting at the door, and part of the time you were about?—I was sitting at the door or the passage.

Mr. Nehemiah Learoyd, was called in; and, having been sworn, was Examined by Mr. *Hannen,* as follows:

Mr. *N. Learoyd.*

8536. You are a Solicitor at Huddersfield, and a personal friend of Colonel Crosland?—I am.

8537. And conducted the election for him?—Yes.

8538. You know Mr. William Crosland?—I do.

8539. Who is he?—He is a merchant residing about 13 or 14 miles from Huddersfield, and having a place of business there.

8540. What is his relationship to Colonel Crosland?—Cousin or half cousin.

8541. By Mr. *Rodwell.*] Where is his place of business?—At Huddersfield.

8542. Mr. *Hannen.*] Has he been here waiting to be examined as a witness in this case?—Yes.

8543. Have you just received a note from him?—I received it when I came out of my bedroom this morning.

8544. Informing you that he had received a telegraphic message, stating that his wife is dangerously ill?—That is so. He enclosed to me the telegraphic message.

8545. Have you taken his proof?—Yes.

8546. By the *Committee.*] He has been called away by the illness of his wife?—Yes, to Southport.

8547. Mr. *Hannen.*] You say that you were a personal friend of Colonel Crosland. I believe that, as a matter of fact, all you did in this election you have done without charging professionally?—That is so. I charged a sum of 50 guineas for the services of my clerks who were engaged during the election; and that was precisely, or within a few shillings, the amount of the salaries I paid to them during that time.

8548. Were you present at a meeting, in June 1864, when Mr. Ackroyd's renunciation of his candidateship there was announced?—Yes.

8549. It has been said that you proposed Colonel Crosland should be invited, is that true?—Not at all.

8550. However, his name was suggested?—It was suggested by Mr. Sykes, the constable of Huddersfield.

8551. A requisition was drawn up?—Yes.

8552. Was it very numerously signed at that meeting?—It was signed at that meeting by more than 200 people.

8553. Did you afterwards get the adhesion of a very

a very great number of voters to that requisition?—Yes; I believe about half the constituency.

8554. Then Colonel Crosland consented to become a candidate?—He did.

8555. After that, a lull in political excitement occurred?—Yes.

8556. Did Colonel Crosland's candidateship cease to be prominently put forward for some time?—Yes.

8557. For how long?—For a period of nine months. During all that time no steps whatever were taken.

8558. I believe, in May, matters began to stir again?—Yes; the very beginning of May.

8559. Did you attend the first meeting of the committee that was appointed?—I did; and I believe I attended every meeting.

8560. Did you hear Colonel Crosland's account of the constitution of that committee, and the duties which they discharged?—I did.

8561. Is that correct?—Quite so.

8562. To your knowledge, besides the committee and yourself, and your co-solicitor, was there any one entrusted with any of the business of the election at all?—In no way whatever, except that Mr. Thomas Clay was appointed the secretary, and was to be always in attendance; and he was probably present with us on two or three occasions of our meeting; beyond that there was nothing at any time.

8563. Did you canvass with Colonel Crosland?—I did; I should think two-thirds of the constituency.

8564. Did he take, personally, a minute of the answers given to him?—Of the answers which were given in every case; and he alone.

8565. From the result of that canvass, were his prospects very good?—They were. I was certain, as the result of the canvass, that Colonel Crosland would be returned by a majority greater than that which had returned any Member of Parliament for Huddersfield.

8566. Had you reason to believe that would be so?—Yes. The largest majority before was 223.

8567. By the *Committee.*] What was Colonel Crosland's majority?—Two hundred and thirty-two.

8568. Mr. *Hannen.*] What was the state of the town as the day of election approached?—It was in a state of intense excitement and alarm.

8569. Were the streets from time to time crowded with the mob?—They were.

8570. Was the mob friendly or adverse to Colonel Crosland?—Adverse.

8571. You say they were in a state of alarm; did you hear anything about knuckle-dusters?—Yes; I was one of the Huddersfield Improvement Commissioners, and attended a meeting especially with reference to that subject.

8572. Occupying that office, did you consider it necessary to take measures for the public safety of that town?—I did, after conferring with the authorities.

8573. For that purpose did you deem it necessary that a number of persons should be engaged for the purpose of preserving order?—I did; and so advised.

8574. On the afternoon of the nomination day did the excitement increase?—It did. It began more especially from that occasion, we have heard; the bringing of Hoyle to the "George Hotel."

8575. Tell us what occurred, within your knowledge, as to Hoyle?—I was at the "George Hotel," and I heard there was a great disturbance near Mr. Waller's warehouse, and I accordingly went there. I got roughly used when they saw me, but came back immediately to the "George Hotel;" and about the same time Hoyle came there with the superintendent of police, and escorted, also, by other police officers.

Mr. *N. Learoyd.* 2 May 1866.

8576. What condition was he in?—His clothes were torn and he was bleeding.

8577. Did you think it necessary for his safety?—I did not interfere at all then. He was taken by the superintendent of police to the "George," into a room upstairs. I, down stairs, spoke with Mr. Wrigley, a member of the committee, and we determined that we would, together, go up, and learn what the man's own wishes were, and what was the occasion of the disturbance.

8578. What did you find?—We found the man in a very agitated state, and most anxious to remain there. I should think there were 400 or 500 of the mob outside, clamouring and shouting at the time.

8579. Was the man's father also there?—He was.

8580. Did he express a wish on the subject?—He did. He was determined that his son should not go away.

8581. In your judgment, was there danger in his going out again amongst them?—I am sure there was.

8582. Did the excitement continue to increase during that evening?—Yes, with intervals of comparative quiet.

8583. I believe Colonel Crosland was there in the evening?—He called during the evening and remained there some time with us, until, I think, about 11 o'clock.

8584. Was he able to get away from the "George" without escort?—Not for a long time, and then only with a large escort.

8585. By the *Committee.*] Of whom?—Of men who volunteered to go as a body guard.

8586. His own friends?—Not gentlemen of position, chiefly watchers.

8587. And police, perhaps?—Some police.

8588. Mr. *Hannen.*] Even then, in your judgment, was his going attended with some risk?—Yes, and I begged him not to go; I endeavoured to dissuade him from going.

8589. Did you see anything happen to a person of the name of Longbottom?—I did.

8590. What was it?—A little before 12 o'clock there was a lull in the row outside. I went out, and I went up to the railway station along with a friend of mine. (I am speaking of the night of the nomination day.) I was pacing about there, and I heard a sudden rush into the square of, I think, about 200 or 300 men.

8591. By the *Committee.*] This was on the following morning?—On the evening of the nomination day.

8592. The same night?—The same night. I ran as quickly as I could towards the door of the "George Hotel," because I believed the object was to seize me. I saw them immediately seize an old man of the name of Longbottom, and carry him off in a moment. He was with another gentleman.

8593. Is he a voter?—Yes. I saw them carry him off; he was powerless; he was carried off his feet, and they carried him out of sight, shouting "Hurrah!" and attended by no less than 60 or 70 followers.

Mr. *N. Learoyd.* 2 May 1866.

8594. How many were there in the mob, do you think?—I should think, at this time, in the square, not less than 300 or 400 men.

8595. Were they pursuing this man into the square?—I ran down from the railway station, which is at the top of the square, toward the door, and when I got within a few yards of the door, I saw them seize this man. They carried him off and endeavoured to surround me.

8596. Mr. *Hannen.*] Did you suffer any personal injury?—I got a violent kick, and some of my friends (supporters of Mr. Leatham) got kicked in attempting to assist me.

8597. Were you dragged by your friends into the "George"?—I was; I was near the door; some of the men seized me by the arm and pulled me. Fortunately my friends got me into the "George Hotel."

8598. Were you prevented, by the state of the mob, from getting out during the night?—I was. I was not able to get away till six o'clock, and then only escorted by the police. I saw, I think, five or six men carried off myself during that night. Six of our voters were carried off in their attempts to get away.

8599. Did you see any personal injury inflicted on any person?—I saw one gentleman who got back again; he had been dragged along by his hair; his face was bleeding; his clothes were torn; he was in a most wretched condition.

8600. Did you send for the police during the night?—I did; we had a number of police pacing before the "George," but they were of no use. I spoke to them through the chained door; they said they were utterly powerless; they could do nothing, and they should be killed if they attempted it.

8601. Did persons come to you asking for assistance and support during the night?—I got a great many messages from watchers from different parts of the town, asking further assistance, but I had no men to send there.

8602. Did you request that soldiers might be sent for?—I sent for the superintendent about three o'clock in the morning, in order to ask him to be prepared with soldiers in the event of the magistrates thinking it necessary.

8603. You had originally intended, I believe, to employ some watchers to preserve the peace, and so on?—Yes.

8604. In your judgment was it necessary to employ more than you originally intended?—It was; and we did so; we got as many additional ones as we could during the second night.

8605. The county contest was also going on at the same time?—It was.

8606. That would contribute greatly to the excitement?—It did contribute towards it; the excitement was intensified within the limits of our borough.

8607. Did you have anything to do personally with the employment of the watchers?—No; I saw them being employed; I took no part in that; it was not my duty.

8608. So far as you know, were the watchers you employed non-electors?—They were; and, as far as I have been able to ascertain, not more than six out of the 350 we had were voters.

8609. By Mr. *Temple.*] That is hearsay?—Yes.

8610. Mr. *Hannen.*] So far as you know?—Not more, I think, than about half-a-dozen.

8611. What was the total number employed altogether?—I do not know the number; I know the amount that was paid.

8612. You did not pay them yourself, I believe?—I did not; I advanced the money.

8613. Captain Learoyd paid them?—Yes, and Mr. Vickerman.

8614. Have you paid a considerable sum of money out of your own pocket for these watchers?—The first one hundred was from the election agent. Captain Learoyd kept asking for money as he went on, and I advanced him altogether 335 *l.*, including the 100 *l.* received from the election agent.

8615. Were these watchers engaged entirely upon what I may call the protection of the public, or were they engaged, any of them, in protecting houses of individuals?—In several cases individuals who were supporters of the Colonel asked to have a number of watchers for the protection of their own property, and in such cases we gave them a sufficient number, as far as we could spare them, on the understanding that they were to pay for those men themselves. Such was the case with Mr. John Haigh.

8616. Was he one of the persons who came to you on the night?—Yes; his warehouse was attacked by the mob and broken open; I heard the battering rams at the door where I was, in the "George," hammering at the door; ultimately they got in.

8617. By the *Committee.*] They got in?—After they got the door prized partly open, Mr. Haigh went and addressed them, and asked what was their object, and said that he would open the door if they thought anybody was there; he did so, and took a number of them through the warehouse with him.

8618. Mr. *Hannen.*] I believe you suffered a good deal from the excitement of the election?—I suffered from something besides that.

8619. From what?—I suffered from fearful blows.

8620. What blows did you receive?—During the afternoon of the polling day I was close to the "George Hotel," and a man of the name of Edward Clayton shouted out "There is the devil; into the parson's son." Immediately upon that a number of blows were hurled at me.

8621. By the *Committee.*] With sticks or fists?—I do not know; it was at the back of my head; I got back to the door of the "George," which was a few yards from me, and there became insensible. I found myself next at a surgeon's.

8622. This was during the polling day?—Yes.

8623. Mr. *Hannen.*] Did you suffer severely?—I suffered most severely; for a few days I suffered comparatively little, but it returned upon me, and the result was that, for a period of two months, I was in a very precarious and dangerous condition.

8624. Were you able to be consulted on business at all?—Not at all.

8625. Did you leave the business of the election just as it was, at the conclusion of the day of the election?—Just after the election I say I had a short interval when I did not feel it so much. I went, by medical advice, away; I got to Bray, in Ireland, and there it come upon me with greater violence, and I was for two months quite unfit for anything.

8626. Did you leave things in abeyance?—Yes; I did not interfere at all.

8627. Were you able to give any information to anybody about the matters of the election?—No; everything had to stand.

8628. Have you remained, as a matter of fact,

out

out of money which you advanced?—Yes; the intention was to apportion the sums which I advanced, and get back from the private parties to whom we supplied watchers their proportion, and that the remainder should be reimbursed to me by the election agent; but the time came for making out the accounts before I was able to be consulted at all, and he, under advice, inserted in the accounts an amount which he had paid, the first 100*l.*

8629. You have remained out of pocket yourself absolutely?—I have.

8630. May I ask you, generally, did you at any time ever offer to any voter a bribe or inducement whatever for his vote?—None whatever, at any time.

8631. Be kind enough to tell, in your own way, what occurred with regard to David Tinker?—About mid-day, probably one o'clock, or a little before one, we received intelligence that Tinker's house——

8632. By the *Committee.*] On the polling day?—Yes; we received intelligence that Tinker's house was surrounded by the mob, and that they were preventing his coming to the poll; after getting this message a second time I went to the superintendent of the police.

8633. Was he a promised voter of yours?—Yes.

8634. Mr. *Temple.*] He had promised to vote for Colonel Crosland?—He had; I had not received that promise.

8635. By the *Committee.*] You knew his vote to have been promised?—Yes.

8636. Mr. *Hannen.*] You went for the superintendent of police?—I went to him.

8637. What occurred then?—He sent down one or more men to ascertain the fact; after some time the superintendent and the man who had been down (Moore), said the roughs were in front of the door, and they could not go on without more help, and he could not spare any men; I said, I thought they were chicken-hearted, or something of that kind, and that I dare go; I went to the door of the "George," and said, "Will any of you come with me down to Castle Gate"? I got on a conveyance, and some parties got in with me, and others followed down; we got to the door; we found there a large number of men outside; I jumped off my conveyance, and said to those who had gone with me, "Follow me," and pushed my way through them.

8638. What sort of reception did you meet with?—Not the very kindest; I got a few taps, which did not hurt me very much; it was nothing very serious; I got a good deal jostled and pushed about; as I pushed my way into the house, the men followed me in; I did not know Tinker; I never saw him in my life.

8639. Had you ever been at his house?—No.

8640. Never had any communication with him?—I had never seen the man in my life; I pushed my way through, and said, "Where is Tinker; where is the landlord"? Ultimately a man was pointed out to me; I remember the man, with a Garibaldi jacket with sleeves turned up, serving out some ale.

8641. What did you say?—They pointed this man out to me, and said, "Come, my man, you should go and vote"; he said, "They won't let me"; he said, "I will come up, you may depend I will come," speaking to me in an under tone. The house was crowded at the time; the passage and every place seemed to be crowded; some of the people shouted out, "Stand some beer, bring us a gallon of beer; I said, "No, not a penny; I have come for Tinker."

Mr. *N. Learoyd.*

2 May 1866.

8642. After he said that he would come up, did you go away?—He said again that it was no use, but I might rely upon it he would come up, and I went away; the fact is that I thought the mob would not let him go with me, and probably he would get away afterwards, when they thought I had failed.

8643. Did all that occur between you and him in the presence of many persons?—Yes; I never was with him alone a moment, and could not have been; the house was crowded.

8644. Is it true that you gave him 7 *l.*, or any other sum of money whatever?—Utterly untrue; a pure fabrication.

8645. Or that you offered him anything?—Certainly not; he required nothing of the kind; he said, that he would come up to vote.

8646. Is there the slightest foundation whatever for any of that story which you have heard?—Not the slightest; nor for such a story with reference to anybody. Allow me to say that Mr. Samuel Fox Wilson was not with me at all; as to the coat I wore, which Firth spoke to as being a grey and brown colour, I never had that coat on as it happens from that day to this, and I have telegraphed for it, and have it on now; this is the coat; a black Alpaca coat; and my wife has left in my pocket a couple of messages which I received during the polling.

8647. By the *Committee.*] Did you order any beer?—I did not.

8648. Then it is not true that you ordered beer, and said you would not pay for it?—Certainly not.

8649. Mr. *Hannen.*] What was the state of the poll at that time?—I believe at that time the majority was larger than it had ever been, or than it ever was afterwards.

8650. Upon returning from his house, what occurred?—Upon my return from his house very shortly afterwards, I received these injuries; when I came back my cab was attacked.

8651. Now, let me go on to ask you as to Wright's evidence; is it true that you requested him to get Oldroyd to Derby?—No, it is not.

8652. Did you offer to pay his expenses?—I did not; I spoke to him; I spoke to him about Oldroyd.

8653. Tell us what passed?—He was a man I could not have spoken to but for his speaking to me first, for I had no familiar acquaintance with him, being in opposition to him for his creditors in the Bankruptcy Court. As the colonel and myself got out of the carriage just by the "George," Wright was passing; he uttered some expression of goodwill towards the colonel, and I took advantage of it just as we stepped into the "George" to say, "Oh, Mr. Wright, can you tell me how your friend Oldroyd is going to vote"? Oldroyd was a man I was personally acquainted with and intimately acquainted with, but I had special reasons for not wishing to solicit him myself. Wright said, "I do not think he will vote for Mr. Crosland, but I do not think he will vote against him." He said he was coming over to see him from Derby, and would most likely be there at the election; until then I did not know that Wright lived at Derby.

8654. Is that all that occurred?—That is all that occurred.

8655. Is it true that you asked him to get him

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over to Derby, or anything to that effect?—No; I spoke this in the hearing of Oldroyd, who I believe is here.

8656. Or that you offered to pay any expenses or anything of that kind?—Certainly not.

8657. Now, with regard to Sowerbutts; is it true that you made him any offer of printing as a condition of his vote?—Certainly not; he was not a voter at the time of the conversation at all; it was in the early part of the year 1864; Sowerbutts had just come to Huddersfield; he had taken a small business there, and I had prepared the transfers of the business; he asked me several times for my assistance and patronage, and mentioned many public offices where I could throw business in his way; I did not know whether he was a Conservative, as I was, or a Chartist, as I have found he is. He mentioned, among other things, the registration work, knowing, apparently, that I was connected with elections; I simply said to him, "I do not know what you are in politics, and our friends would think it strange for me to send you that work when many of them are without a share of the business themselves."

8658. Was that in April 1864?—That was so.

8659. Had your conversation reference to the registration business?—To the registration business solely.

8660. Had it anything whatever to do with the election?—Nothing whatever.

8661. Did you at any time, either then or afterwards, make any allusion whatever to his vote; he had not a vote then, as I understand you?—He had no vote then; he did make an allusion to his vote for the year afterwards.

8662. When you canvassed him?—I called, with Colonel Crosland, at the shop of Bygott, and he was in it; that shop was within a few yards of my door.

8663. Was anything said then about asking him for his vote?—No; not beyond this: we asked Mr. Bygott; he expressed an unfavourable opinion, and so did Sowerbutts; indeed, Sowerbutts answered for Mr. Bygott and himself too; I said that I should be glad if, on further consideration, they thought otherwise; I said nothing more than that, and, although the man was close by my door, I never spoke to him about it myself; I was a customer of Sowerbutts's, and a customer of Bygott's, and have been so to this day.

8664. By the *Committee.*] What is Bygott?—A druggist.

8665. Mr. *Hannen.*] Now, as to Broadbent; is it true that you asked him to take any brandy?—Never, in my life.

8666. Did you give him any brandy?—No.

8667. Did anything occur at all about brandy?—Never.

8668. You know Joseph Hellawell, I believe?—Yes; I do.

8669. Had he anything whatever to do with the election, as far as you know?—Nothing whatever; we knew that we might expect his vote; beyond that we knew nothing.

8670. Is it true that you and Colonel Crosland ever went in a cab with him to canvass?—Never.

8671. Never, on any occasion?—Never, on any occasion.

8672. Did you, on one occasion, meet him when you were canvassing?—We did; the Colonel and I had gone to a neighbourhood which was strange to us both, and when we were looking about for the houses, Hellawell was there accidentally, and we asked him if he would show us the houses of some of these people, and he did so.

8673. Was that all that he did?—That is all he did.

8674. And the only occasion on which he did that?—And the only occasion on which he did that.

8675. Was he ever present at any meeting of the committee?—Never.

8676. Was there any meeting of the committee on the Monday or Tuesday before the election?—There was not.

8677. Why not?—On the Monday, Colonel Crosland, Mr. Kay, his chairman, and myself, went round to see the voters at Deighton and Sheepridge.

8678. Did you ever know of, or in any way sanction, any treating whatever?—None whatever; nothing could be more careful.

8679. Have you ever paid a single penny to publicans for supplying drink or refreshment to any one?—Not a farthing beyond that which is in the account; at the "George Hotel" we had to pay a bill to the proprietor.

8680. Has any application been made to you by any publicans for payment?—Yes.

8681. Have you invariably refused them?—They have been very trifling things; a few shillings to some publicans who supplied beer to these watchers; it was contrary to our engagement with the watchers, and we would not pay a farthing.

8682. Now, as to the champagne, tell us what occurred?—A number of the colonel's friends assembled in the assembly room at the "George Hotel," just before going on the hustings.

8683. By the *Committee.*] That was on the declaration day?—On the declaration day.

8684. The polling was the day before?—Yes.

8685. Were you able to go about that day?—I was; I was very ill; Colonel Crosland called with his carriage at my door, and I went down with him; I was very ill.

8686. The poll closed on the Thursday evening?—Yes; this was on the Friday; we found that some of our friends had got their private carriages in the square, anticipating there would be a procession, and there were also some cabs there; many of them pressed for this procession; Colonel Crosland, and several of us, endeavoured, to the utmost, to dissuade them and reconcile them to its being dispensed with; in doing so, Colonel Crosland said, "Let us pour oil on the troubled waters; there has been excitement enough; let us now endeavour, if we can, to appease it rather than have a public procession; come back here and drink my health in a glass of champagne."

8687. Mr. *Hannen.*] Had anything of that kind been concerted or arranged before?—Not at all.

8688. Was it the spontaneous action of the moment?—Yes; he never consulted anybody, or gave anybody an opportunity of giving him a suggestion upon it.

8689. By the *Committee.*] There was no procession?—There was no procession.

8690. But what took place when you came back?—When we came back, the Colonel and one or two of his friends just walked in procession from the hustings to the "George," which is only a few yards distant, and a good number followed

followed on; among them were not only non-electors, but some of our opponents. The waiter handed round a tray with champagne, and a good many took a glass of champagne, both friends and foes.

8691. Voters, who were foes?—Yes; and I can give the names of some; they were not numerous.

8692. Mr. *Hannen.*] In what room was this?—In the assembly room; there were a good many non-electors, and I can give the names of several of them.

8693. And likewise Lethamites?—Yes; there was James Allen Love among the number, one of the most prominent of Mr. Letham's supporters.

8694. By the *Committee.*] When the Colonel asked them to come back and drink his health in a glass of champagne, he did not say at whose expense it was to be?—He did not.

8695. It might have been that each was to pay for himself?—Yes.

8696. Who was it addressed to; was the room full of people?—Not full; there were a good many there.

8697. Were his principal supporters there?—Just his principal supporters.

8698. And non-electors?—There were some non-electors.

8699. Fifty or 100 people?—I dare say there would be.

8700. Mr. *Hannen.*] Did they sit down or drink their glasses standing?—They drank their glass standing, such as took it; several of them did not take it; I did not take a glass.

8701. By the *Committee.*] Did they stay long drinking?—No; one glass was handed round; the Colonel, and myself, and one or two others, retired, and, as we did so, said to the waiter, "Just go round, and then drop it."

8702. And the nucleus of the party were the people who came to attend the colonel to the hustings?—Yes; there were some non-electors there at that time; one, I remember, expressing his gratification that Colonel Crosland was taking so judicious a view, as he thought, in not having a procession.

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8703. Do you know how much champagne was drank on that occasion?—Yes; I have ascertained the amount; Mr. Wigney paid 10*l.* 8*s.*

8704. Mr. *Hannen.*] Were there any persons besides the members of the committee and the officers whom you mention, the solicitors, and the secretary; were there any other persons authorised to act in any way on behalf of the candidate?—In no way, except that Captain Learoyd was authorised to employ and pay a number of men as watchers.

8705. Does that apply absolutely to all the other persons who have been mentioned?—To every one.

Examined by the *Committee.*

8706. Do you remember canvassing Hoyle for Colonel Crosland?—I do not; I do not think I did.

8707. Was he considered to be a promised voter, or not?—He was.

8708. He was a promised voter?—He was; we knew that very well; I knew his father; I knew all his friends; I knew the man's shop.

Mr. *Rodwell* was heard to sum up the evidence.

Mr. *Temple* was heard on behalf of the Petitioners' in reply.

[Adjourned till Eleven o'clock To-morrow.

MINUTES OF EVIDENCE

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Corrupt Practices. Resolution of the Committee that they have no reason to believe that corrupt practices extensively prevailed at the election, *Rep.* iii.

See also *Bribery. Intimidation. Treating.*

Crosland, John Woodhead. Statement as to witness having received some money from a person whom he did not know, but who was probably Mr. John Crosland; he does not recollect the precise sum, *Milnes* 5942–5976——Further statement showing that it was not Mr. John Crosland who gave witness the money, *ib.* 7126.

See also *Fawcett, James.*

Crosland, Colonel Thomas Pearson (*Member of the House*). (Analysis of his Evidence.)—Is a native of Huddersfield, and has been in business there with his brothers for many years, 6390–6398——Is a colonel in the volunteers, 6394——Has for some years taken an active interest in the Huddersfield elections, as one of the moderate Liberal party, 6399–6403.

Explanation of the circumstances connected with the coming forward of witness as a candidate, in lieu of Mr. Ackroyd, 6404–6429——Particulars relative to the committee appointed on witness's behalf, and the practice as to committee meetings, 6430–6483——Very careful canvass made by witness, the results showing that out of 2,086 persons on the electoral list he had 1,060 clear pledges of support, 6484–6492.

Great disturbance and riot on the polling day, so that the military were sent for, whilst the police were called out in increased numbers, 6493–6503——Interference with some of witness's voters on the nomination day, 6496, 6497——Explanation in regard to witness having invited his supporters to have a glass of champagne each before the declaration of the poll was to take place, 6504–6525.

Denial that Charles William Mitchell ever canvassed with witness, 6526–6531——Nor did Mr. Wrigley ever canvass with witness, 6531–6533——Explanatory statement relative to the voter Burton, to the effect that witness never held out any inducement in return for his vote; positive denial of the evidence of Burton and Wilkinson on the subject of the rifle sheds as connected in any way with Burton's vote, 6534–6542——With regard to open air meetings held by witness there was frequently great disturbance and uproar, but witness never knew that men were employed on his behalf to shout, &c., 6544–6558.

Single occasion, and then by accident, on which Joseph Hellawell joined witness when canvassing, 6559–6568——Promise given by James Fawcett to vote for witness when he canvassed him; the fact that Fawcett had married an illegitimate daughter of witness's brother, was not known to witness at the time, 6569–6576——Nor was witness aware, until the present inquiry, that his brother had sent money to Mrs. Fawcett at the time of the election, 6577, 6578.

Rough usage experienced by William Hoyle in getting through the crowd to the "George" on the nomination day; witness does not recollect having said anything to Hoyle on this occasion, 6579–6586——James Waller had no communication with witness during the election, but witness has since received letters from him which have been destroyed,

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Crosland, Colonel Thomas Pearson (*Member of the House*). (Analysis, &c.)—*continued.*

destroyed, 6587-6589——Hoyle has also sent two letters to witness, who at once destroyed them without answering them, 6590–6594.

Readiness expressed by James Brook to vote for witness, who never made him any promise nor offer, 6595–6602——Until the present inquiry witness never heard of any meetings or committees of non-electors on his behalf, 6603-6612——Witness never authorised Joseph Brooke Richardson to perform any act for him during the election; belief that Richardson was not a voter, 6613–6617——Walter Clayton was not in any way connected with witness's committee, and was not a voter, 6618–6624.

Canvass by witness of the voter Bawtry on two occasions; positive denial that witness said to Bawtry, "If you do not vote for me you are done," 6625–6639——Witness never spoke to any elector in the language of threat or menace, 6633-6639——Several voters did not poll for witness through fear of serious consequences or loss of employment if they did so, 6641, 6642.

Witness never expended a single shilling illegally in connection with the election, nor did he sanction any such expenditure, 6643-6647——Nor did witness practice undue influence in any case, 6640——Several occasions on which witness stated publicly that he stood on purity principles, 6648–6653——Circumstance of witness having been one of Mr. Stansfield's committee at the election of 1852, when Mr. Stansfield was unseated on petition, 6654–6665.

Cross-examination with further reference to the case of Bawtry, witness further denying that he said anything to Bawtry by way of intimidating him, 6666–6700——Constitution and meetings of witness's committee further adverted to, 6701-6718. 6733-6735——Further denial of the statements of Burton and Wilkinson in regard to the vote of the former having been mixed up with the question of some rifle sheds being supplied by him with beer, &c., 6719-6732.

Crosland, T. P. Resolution of the Committee that Mr. Crosland is duly elected, *Rep.* iii.

Crosland William. Explanation that Mr. William Crosland has been waiting in London to be examined before the Committee, but has been called away suddenly through the dangerous illness of his wife, *N. Learoyd* 8538–8546.

D.

Dean, Thomas. (Analysis of his Evidence.)—Employment of witness and some others to attend a meeting at Hill House, some time before the election, at which Mr. Crosland was to make a speech; way in which the meeting passed off, 2226-2265. 2308-2341——Supply of beer to witness and other men employed at the meeting, 2266–2271——Statement as to witness having taken James Hutchinson to the "George Inn," where Mr. William Crosland and some others had a conversation with him, 2272-2283——Circumstances under which Mr. Tom Learoyd gave witness a sovereign, out of which witness gave half-a-crown to Thomas Gibson and half-a-crown to Joseph Smith; the rest of the money was spent in eating and drinking, 2284–2305. 2342–2365.

Conversation between Mr. Learoyd and witness about a voter named Thomas Lee, the latter having subsequently had an interview with Mr. Learoyd, 2499–2522——Authority given to witness and Lee by Walter Clayton of the "Queen's Head Inn," to get a bottle of wine there for Lee's wife, who was ill, 2523-2545——Clayton at the same time gave witness a sovereign, whilst Thomas Lee, Joe Wilson, and witness subsequently had some drink at Clayton's house for which they did not pay, 2525-2545.

Cross-examination as to the circumstances under which witness gave information in regard to the evidence which he was prepared to give in support of the petition; reference more especially to the money promised to or received by him for his expenses in coming to London, 2546 *et seq.*

Disturbances. See *Riots and Disturbances.*

Dyson, John. Statement as to witness having been offered, first, one sovereign, and subsequently two sovereigns by Edwin Taylor, if he would vote for Mr. Crosland; refusal on the part of witness, *Dyson* 3565-3597.

Conversation between Dyson and witness relative to the vote of the former, when witness said, more in jest than earnest, that he could get him a sovereign for his vote for Mr. Crosland, *Taylor* 3598-3621——Circumstance of witness having subsequently received 2 *l.* from John Tillotson, and having offered 1 *l.* to Dyson, though he did not intend to give it to him, *ib.* 3621-3633.

E.

Eastwood, Daniel. (Analysis of his Evidence.)—Statement to the effect that witness was never in Colonel Crosland's committee-room at the "George Hotel," and never heard the voter Broadbent say anything about having seen Joe Cliff, and having got a "fiver" from him, 7816-7844.

Evidence, 1866—*continued.*

Eastwood, William. Witness voted for Mr. Leathan, *Eastwood* 3844-3847——Canvass of witness by Mr. Crosland, Mr. Nehemiah Learoyd, and Mr. Hellawell, who came to his house together in a cab, *ib.* 3848-3859——Conversation on a subsequent occasion between Hellawell and witness, when the former pressed witness to vote for Mr. Crosland, and asked him at the same time whether he had not a dog to sell, *ib.* 3860-3867——Forcible attempt made by Hellawell and others on the night before the election to prevent witness going home, *ib.* 3868-3877——Statement that on two different occasions witness saw Hellawell going about with Mr. Crosland in a cab, *ib.* 3878 *et seq.*——Denial that witness ever offered to buy a dog from the voter Eastwood, *Hellawell* 8084-8089.

Election of 1852. Circumstance of witness having been one of Mr. Stansfield's committee at the election of 1852, when Mr. Stansfield was unseated on petition, *Crosland* 6654-6665——Explanation that it was not witness, but a brother of his, who was mixed up with a certain bribery transaction at the Huddersfield election of 1852, *Hellawell* 8107-8124.

F.

Fawcett, James. Witness, who is an elector of Huddersfield, and is married to an illegitimate daughter of Mr. John Woodhead Crosland, was canvassed on behalf of Colonel Crosland, *J. Fawcett* 4232-4238. 4272-4274——About the time of the election witness's wife received three letters, or envelopes, the first containing 50 *l.*, the second 30 *l.*, and the third 30 *l.*, 4239-4260——Witness was again canvassed for Colonel Crosland about the same day as the 50 *l.* was received, and voted for him, *ib.* 4246-4249. 4261——On other occasions, before and since the election, witness's wife received letters, or envelopes, containing money from Mr. Woodhead Crosland, *ib.* 4262-4286.

Circumstance of the voter James Fawcett having, about the 11th or 12th May, changed from being a supporter of Mr. Leatham, *Bradley* 4287-4299——Statement as to James Fawcett having received a 50 *l.* note, and some other notes in envelopes, at the time of the election, and as to his having voted for Crosland, though he had previously been a supporter of Leatham, *Shaw* 4349-4374.

Promise given by James Fawcett to vote for witness when he canvassed him; the fact that Fawcett had married an illegitimate daughter of witness's brother was not known to witness at the time, *Colonel Crosland* 6569-6576——Nor was witness aware, until the present inquiry, that his brother had sent money to Mrs. Fawcett at the time of the election, *ib.* 6577, 6578.

Explanation relative to several sums of money sent by witness to his illegitimate daughter Mrs. Fawcett, about the time of the election; witness did not know till quite recently that Fawcett was a voter, *J. W. Crosland* 6778 *et seq.*

Firth, James Henry. (Analysis of his Evidence.)—Witness was present at Tinker's beer-house on the polling day when Mr. Learoyd called, and states that he saw the latter take some sovereigns out of his pocket, and give them to Turner; particulars hereon, 848-865——Statement as to Mr. Samuel Fox Williams, the landlord of Tinker's house, having been with Mr. Learoyd, 852-858. 881-883——Tinker told witness that he got 7 *l.* from Mr. Learoyd, 863-865——Cross-examination in regard to witness and others having crowded round and roughly used Mr. Learoyd at Tinker's; also upon the question whether witness's story of having seen money pass is not a fabrication altogether, 868 *et seq.*

Flannagan, James. (Analysis of his Evidence.)—Particulars relative to the proceedings at Tinker's house when Mr. Learoyd called about his vote; crowded state of the house at the time, witness admitting that he did not see Mr. Learoyd give any money to Tinker, 956 *et seq.*——Remark by Mrs. Tinker, when her husband went to the poll, that they had had a very good day, and that her husband had given her seven sovereigns, 986-988.

Flannagan, Patrick. (Analysis of his Evidence.)—Statement as to witness having seen the interview between Mr. Learoyd and David Tinker, and having subsequently seen Tinker give seven sovereigns to his wife, which he told her to put away, 673-752. 823-847——Inaccuracy of the information given by witness at Huddersfield to the effect that he had seen Mr. Learoyd give money to Tinker, 682-691. 752-822.

Flint, Alfred. (Analysis of his Evidence.)—Details as to witness, who voted for Mr. Crosland, having had something to eat and drink at different public-houses without being called upon to pay, 6217 *et seq.*

G.

Gibson, Thomas. (Analysis of his Evidence.)—Particulars as to witness having been canvassed by Thomas Dean on behalf of Mr. Crosland, and having been subsequently employed as a messenger and watcher by Mr. Tolson, 1864 *et seq.*——Circumstance of Thomas Dean having given witness half-a-crown at the time of the election, 1903-1916——Particulars as to the services rendered by witness as a messenger, and in watching

Evidence, 1866—*continued.*

Gibson, Thomas. (Analysis of his Evidence)—*continued.*

that voters were not taken away; several other watchmen also employed, 1932–1939. 2016–2051.

Statement as to Josiah Thomas having bet witness a sovereign to a shilling that Mr. Crosland did not succeed, and a further sovereign that witness did not vote for him; witness was paid both sovereigns, 1943–1951——Information relative to the payment of witness, and several other watchmen, witness receiving 20 *s.* for two nights' watching, and 30 *s.* for three days as messenger, 1955 *et seq.*

H.

Hannan, William. (Analysis of his Evidence.)—Witness is superintendent of the police at Huddersfield, 7148, 7149——Good ground for the apprehension of disturbances at the late election, 7150–7163——Violence displayed by the people at some meetings of Colonel Crosland's supporters, 7164–7169——The non-electors and the mob were strongly opposed to Mr. Crosland, but he was the popular candidate with the respectable people, 7170, 7171. 7319–7321——Arrangement by which Colonel Cobb came to Huddersfield for the election with some of the West Riding constabulary, 7172–7177——Arrangement also for swearing-in 500 special constables, besides which additional police were obtained from Halifax and Bradford, 7178–7186.

Evidence showing the very disturbed state of the town on the nomination day and night, and the election day, 7187 *et seq.*——Particulars as to the violence displayed by the mob towards the voter Hoyle; difficulty of the police in protecting him, 7191–7213——Large mob in front of the "George" on the night before the polling; violence displayed by them, 7214–7243——Arrival of the military from Manchester on the polling-day 7244–7248.

Several instances of supporters of Colonel Crosland having been maltreated and injured by the mob on the polling-day, 7255–7257. 7312–7318——Great difficulty in keeping the streets clear for the cabs conveying Colonel Crosland's supporters to the poll, 7258–7260. 7278–7297——Witness and many of the police were repeatedly struck with stones, which were freely used by the mob, 7261–7268. 7300–7311. 7327, 7328——Great forbearance shown by the police, 7272, 7273——Necessity of reading the Riot Act, after which the people were quieter, 7274–7277——Serious injuries inflicted on Mr. Nehemiah Learoyd, 7316–7318——Reference to the sending for the military as a very salutary act, though their services were not actually called into requisition, 7322–7326——The special constables merely kept the barriers at the polling-booths, 7329, 7330.

Hare, Charles Kershaw. (Analysis of his Evidence.)—Witness, who is clerk and manager of the Waterworks Commissioners at Huddersfield, is not a voter, and took no part whatever in the election, 7946–7948. 7989–7992——He positively denies having had any conversation, or made any agreement, with Charles Sunderland about his being paid for voting for Colonel Crosland, 7949 *et seq.*

Hellawell, Joseph. Evidence in detail, and cross-examination thereon, relative to the circumstances of witness's late husband, who was very ill at the time of the election, having received several bottles of wine from Mr. Joseph Hellawell, *Sarah Brook* 2696 *et seq.*

Evidence relative to certain business transactions between witness, his brother, and Mr. Hellawell at the time of the election, showing how far the latter exercised undue influence in regard to the vote of witness and his brother, *F. Kilner* 2814 *et seq.*——Statement in confirmation to some extent of the foregoing evidence, *J. Kilner, jun.*, 2876 *et seq.*; *J. Kilner, sen.*, 2942 *et seq.*

Canvass of witness by Mr. Crosland, Mr. Nehemiah Learoyd, and Mr. Hellawell, who came to his house together in a cab, *W. Eastwood* 3848–3859——Conversation on a subsequent occasion between Hellawell and witness, when the former pressed witness to vote for Mr. Crosland, and asked him at the same time whether he had not a dog to sell, *ib.* 3860–3867——Forcible attempt made by Hellawell and others on the night before the election, to prevent witness going home, *ib.* 3868–3877——Statement that on two different occasions witness saw Hellawell going about with Mr. Crosland in a cab, *ib.* 3878 *et seq.*

Single occasion, and then by accident, on which Joseph Hellawell joined witness when canvassing, *Crosland* 6559–6568——Joseph Hellawell had nothing to do with the election, and never canvassed with Colonel Crosland, but went with him accidentally on one occasion, *N. Learoyd* 8668–8677.

Witness was not on Colonel Crosland's committee, and did not canvass with him, *Hellawell* 8042, 8043. 8078–8083——Evidence explanatory of certain business transactions between James and Frederick Kilner and witness previously to the election; denial that witness used any undue influence in connection with these transactions in order to obtain the votes of the Kilners for Colonel Crosland, *ib.* 8044 *et seq.*——Denial also

that

Evidence, 1866—*continued.*

Hellawell, Joseph—continued.

that witness ever offered to buy a dog from the voter Eastwood, *Hellawell* 8084–8089——Purely charitable motives by which witness was actuated in giving some wine to the voter James Brooke, who was very ill at the time of the election, *ib.* 8090–8106.

Explanation that it was not witness but a brother of his who was mixed up with a certain bribery transaction at the Huddersfield election of 1852, *Hellawell* 8107–8124.

Herman, John. (Analysis of his Evidence.)—Information relative to various persons seen by witness entering the room at the "George Hotel," where the canvassers and supporters of Mr. Crosland used to meet, 4163 *et seq.*

Hobson, Mr. Information relative to several persons whom witness saw canvassing with Colonel Crosland; impression as to Mr. Hobson of the "Huddersfield Chronicle" having canvassed with him, *Bradley* 4300–4348.

Hoyle, William. About six weeks before the election witness was canvassed by Mr. Crosland, but said he could not vote for him, though some months previously he had promised to do so, *Hoyle* 2992–3001. 3169–3176——Employment of witness shortly before the election by Mr. Mills in arranging the cards for Mr. Leatham's party, *ib.* 3003. 3184–3186——Details as to Mr. James Waller having held out several inducements to witness, who was in difficulties at the time of the election, to vote for Mr. Crosland, *ib.* 3004 *et seq.*

Engagement of witness by Mr. Waller to act three days as messenger, *Hoyle* 3036–3042——Statement as to witness having gone to the "George Hotel" on the nomination day, where he had refreshments, and where he stayed all night, *ib.* 3053 *et seq.*——Ill-usage received by witness from the crowd in getting to the "George" on the nomination day, *ib.* 3064–3066. 3213–3215.

Statement as to Mr. Alfred Bantoft having promised to furnish witness with means to set him up in business if he would support Mr. Crosland, the sum of 80 *l.* having bee named by witness; several persons present on this occasion, *Hoyle* 3078 *et seq.*——Witness eventually voted for Crosland, *ib.* 3119–3122——Refreshments provided for witness and his wife at the "George" on the polling day, *ib.* 3127-3130——Circumstance of witness having stayed at the "George" until the day after the election; plentiful supply of champagne there after the declaration of the poll, *ib.* 3131–3151.

Conversation between witness and Mr. Bantoft after the election relative to the promise made by the latter; witness, however, has received nothing, *Hoyle* 3152-3155——Conversation also between witness and Mr. James Waller relative to the payment of 10 *s.* a day to witness as messenger; reason assigned by Mr. Waller for the non-payment of the money, *ib.* 3156–3167.

Cross-examination on the foregoing evidence generally, witness repeating his statement as to the inducement held out to him by Mr. Bantoft to vote for Mr. Crosland, *Hoyle* 3158 *et seq.*——Presence of witness's wife on a certain occasion when Mr. Bantoft spoke to witness about his vote, and mentioned the promise made in respect of it; his wife, however, is too ill to attend the Committee, *ib.* 3223 3237.

Rough usage experienced by William Hoyle in getting through the crowd to the "George" on the nomination day; witness does not recollect having said anything to Hoyle on this occasion, *Crosland* 6579–6586——Since the election Hoyle has sent two letters to witness, who at once destroyed them without answering them, *ib.* 6590–6594——Particulars as to the violence displayed by the mob towards the voter Hoyle; difficulty of the police in protecting him, *Hannan* 7191–7213.

Examination in denial of certain portions of the evidence of William Hoyle; witness in fact never held out any promise, nor made any offer to Hoyle as an inducement to him to vote for Colonel Crosland, *Waller* 7345 *et seq.*——Mr. Bantoft never said in witness's presence anything about making up a sum of money for Hoyle, *ib.* 7379–7383.

Denial in detail of the statement of the voter Hoyle that witness made certain promises to him in order to obtain his vote for Colonel Crosland, *Bantoft* 7454 *et seq.*——Witness was at the "George" when Mr. Bantoft and Hoyle were there, and never heard any promise made by the former to the latter, *Wrigley* 7528–7531. 7539–7546——Distinct statement by Hoyle when at the "George," that he did not wish to leave that place, with reference to his vote, *ib.* 7532. 7547–7551.

Instance in the case of the voter Hoyle of the very violent conduct of the mob on the nomination day; positive danger to Hoyle if he had left the "George Hotel," *N. Learoyd* 8574–8581——Hoyle was a promised supporter of Colonel Crosland, *ib.* 8706–8708.

Hutchinson, James. Particulars as to witness having been engaged by Mr. William Crosland to act for a week as messenger, and as to the payment having been fixed at 7 *s.* a day, *Hutchinson* 2052 *st seq.*——Advance of 30 *s.* by Mr. W. Crosland to witness; denial that witness asked for such advance through his wife being ill, *ib.* 2092, 2093. 2167–2182——Solicitation of witness's vote by Mr. W. Crosland at the same time that the arrangement was made about his employment as a messenger, *ib.* 2097–2100. 2151–

Evidence, 1866—*continued.*

Hutchinson, James—continued.

2158——How far witness can be said to have rendered any services in his capacity of messenger, *Hutchinson* 2101–2119. 2183–2225——Witness voted for Mr. Crosland, having at the former election voted for Mr. Leatham, *ib.* 2113. 2150.

Statement as to witness having taken James Hutchinson to the "George Inn," where Mr. W. Crosland and some others had a conversation with him, *Dean* 2272–2283——Evidence with reference to the voter Hutchinson having been accompanied by witness and Thomas Dean to the "George Hotel," where Mr. Tom Learoyd and Mr. Tolson had a conversation with him about his vote, *Wilson* 2366–2409.

Particulars relative to the employment and payment of James Hutchinson as messenger; it is positively false that witness said anything to him about his vote, *Robinson* 8392–8426——It was only quite recently that witness became aware that Hutchinson was a voter, *ib.* 8404, 8405. 8412. 8421.

Information in connection with the employment of James Hutchinson as messenger; denial that he was engaged by Mr. W. Crosland, or was asked by him for his vote, *Tolson* 8431 *et seq.*——Duties performed by James Hutchinson as messenger; explanation as to his rate of payment in that capacity, and for two or three nights as watcher, *Walker* 8504–8526.

I.

Intimidation. Statement as to Mr. Crosland having said to witness in an angry way, "if you don't vote for me you are done," or "you are done;" denial by witness that he had promised his vote to Mr. Crosland, *James Bawtry* 4551——Confirmation of the evidence of witness's husband as to Colonel Crosland having said to him "if you don't vote for me you are done," *Jane Bawtry* 4618–4634——Remonstrance made by a person named George Dickinson when the above words were used by Colonel Crosland, *ib.* 4623–4625. 4635——Witness corroborates the statements of Bawtry and his wife as to Colonel Crosland having attempted unduly to influence the vote of the former, *G. Dickson* 4636–4659——Remark by witness at the time as to making a collection for Bawtry if he lost his employment through voting for Crosland, *ib.* 4642.

Witness never spoke to Bawtry or any elector in the language of threat or menace, *Crosland* 6625–6639. 6666–6700——Several voters did not poll for witness through fear of serious consequences or loss of employment if they did so, *ib.* 6641, 6642.

See also *Riots and Disturbances.*

K.

Kilner, Frederick and James. Witness and his brother, as cloth finishers, had been in the habit of dealing with Mr. Hellawell for some time before the election, *T. Kilner* 2814–2827——Promise given by witness to Mr. Hellawell to vote for Mr. Crosland, *ib.* 2828, 2829——Facility given to witness to obtain goods from Mr. Hellawell's warehouse, shortly after his promise to vote for Crosland, *ib.* 2829–2831. 2871–2875.

Assistance also rendered by Mr. Hellawell to witness and his brother in taking up a bill for 70 *l.* due to the former about the time of the election; witness had previously promised his vote, *F. Kilner* 2832–2839. 2872, 2873——Witness left Birmingham for Huddersfield on the nomination day in consequence of a letter from Mr. Hellawell, and voted for Crosland; question at the time about his being paid his travelling expenses, *ib.* 2840–2870.

Witness, as brother of the preceding witness, states that he was induced to vote for Mr. Crosland partly by the promises of Mr. Hellawell, and the assistance rendered by him to witness and his brother in regard to a bill which fell due just before the election, *J. Kilner*, junior 2876 *et seq.*

Witness, who is father of the preceding witnesses, was canvassed by Mr. Hellawell for Mr. Crosland, but would not promise, *J. Kilner*, senior 2942–2949——Mr. Hellawell subsequently suggested that witness should absent himself from Huddersfield rather than vote for Leatham, *ib.* 2950–2955——Statement as to witness having gone with some others to Ripon on the day before the election, so as not to vote for Leatham, on account partly of the promises made by Mr. Hellawell to his sons, *ib.* 2956–2991.

Evidence explanatory of certain business transactions between James and Frederick Kilner and witness previously to the election; denial that witness used any undue influence in connection with these transactions, in order to obtain the votes of the Kilners for Colonel Crosland, *Hellawell* 8044 *et seq.*

Knuckle-dusters. Statement relative to the apprehended use of "knuckle-dusters," by the mob, several of these instruments having been brought to the police office some weeks before the election, *Hannan* 7151–7160; *N. Learoyd* 8571.

Evidence, 1866—*continued.*

L.

Learoyd, Nehemiah. (Analysis of his Evidence.)—Witness, who is a solicitor at Huddersfield, conducted the election for Colonel Crosland, 8536, 8537. 8547——Explanation as regards Mr. William Crosland that he has been waiting in London to be examined before the Committee, but has been called alway suddenly through the dangerous illness of his wife, 8538–8546——Influential requisition to Colonel Crosland to come forward as a candidate on the retirement of Mr. Ackroyd, 8548–8550——Absence of authority in any one to act for Colonel Crosland during the election; that is, except his committee, witness, and Mr. Robinson, 8559–8562. 8704, 8705——Very successful canvass of Colonel Crosland, so that an unusually large majority was calculated upon and was obtained, 8563–8567.

Details as to the very excited state of the town as the day of election approached, and as to the riotous and violent conduct of the crowd on the nomination and polling days, 8568 *et seq.*——Instance in the case of the voter Hoyle of the very violent conduct of the mob on the nomination day; positive danger to Hoyle if he had left the "George Hotel," 8574–8581——Large crowd concerned in carrying away a voter of the name of Longbottom, 8589–8595——Violence and injuries inflicted upon witness on the nomination and election days, so that he was in a very precarious and dangerous condition for a long time afterwards, 8595–8598. 8618–8627. 8650.

Witness did not employ the watchers, but advanced the money (335 *l.*) to Captain Learoyd for their payment, 8607. 8611–8614——Belief that out of about 350 watchers there were not more than half a dozen voters, 8608–8610——Employment of some of the watchers in protecting the property of voters against the mob, 8615——Explanation as to witness not having been recouped the money which he advanced for the watchers, 8628, 8629.

No bribe or inducement was ever offered by witness to any voter, 8630——Explanations relative to the case of Tinker, and his alleged bribery by witness; this is a pure fabrication, 8631–8649——Inaccuracy also of the statement that witness offered to pay the expenses of bringing the voter Oldroyd from Derby; particulars of witness's conversation with Mr. Wright about Oldroyd, 8651–8656.

Contradiction given to the evidence of Sowerbritts; denial by witness that he held out any inducement whatever to him with reference to his vote, 8657–8664——Witness never gave any brandy to the voter Broadbent, 8665–8667——Joseph Hellawell had nothing to do with the election, and never canvassed with Colonel Crosland, but went with him accidentally on one occasion, 8668–8677.

Great care taken by witness not to sanction any treating, nor to pay money to publicans, 8678–8681——Explanation as to Colonel Crosland having given his supporters some champagne at the "George" on the day of the declaration of the poll; this was in lieu of having a procession, 8682–8703——With regard to the voter Hoyle, he was a promised supporter of Colonel Crosland, 8706–8708.

Learoyd, Tom. (Analysis of his Evidence.)—Considerable disturbance apprehended previously to the election, 8143–8146——Explanatory statement relative to the employment and payment by witness of the watchers on the side of Colonel Crosland; authority from Mr. Robinson in the matter, 8148 *et seq.*——About 300 watchers were employed, and about 350 *l.* was the amount received by witness from Mr. Nehemiah Learoyd for paying them, 8152. 8239–8243. 8265–8270——Tickets given by witness to the watchers; he had no authority to give any canvassers tickets, and if he signed any such tickets it was by mistake, 8156, 8157. 8245–8264. 8292–8305.

Instructions given by witness to the watchers, and duties fulfilled by them, 8162–8164. 8170, 8171. 8187, 8188. 8215–8238. 8306–8312——Very few voters among the watchers; witness never spoke to these about their vote, 8165–8167. 8181——Denial that witness ever said to a man named Joseph Smith that he should have 5 *l.*, and that Mr. Crosland's side were not particular to a pound or two; nor was there any arrangement or promise about Smith having 1 *l.* for the last day as watcher, 8189–8198——Inaccuracy also of the statement of Thomas Dean that witness gave him a sovereign, 8206–8211.

Witness, in cross-examination, gives further information in connection with the watchers, and their employment and payment, 8213 *et seq.*——There was no communication between witness and Colonel Crosland's committee, 8271–8275——With regard to a certain meeting of Colonel Crosland's supporters at the "Lamb Inn," witness saw no drinking or treating going on, 8276–8291.

Lee, Thomas. Conversation between Captain Learoyd and witness about a voter named Thomas Lee, the latter having subsequently had an interview with Captain Learoyd, *Dean* 2499–2522——Authority given to witness and Lee by Walter Clayton of the "Queen's Head Inn" to get a bottle of wine there for Lee's wife, who was ill, *ib.* 2523–2545——Confirmation of the statement as to a bottle of wine having been given by Clayton to the voter Lee for the use of his wife, *Wilson* 2684–2691.

Evidence, 1866—*continued.*

Longbottom —. Large crowd concerned in carrying away a supporter of Colonel Crosland of the name of Longbottom, *N. Learoyd* 8589-8595.

Lord, Mr. Circumstances under which witness first gave information as to the evidence which he was in a position to give in the case of Tinker; corrupt offer made to him by Mr. Lord, a photographic artist in Huddersfield, to give evidence on the part of the petition, *Marsden* 7048-7074.

M.

Marsden, John. (Analysis of his Evidence.)—Witness was with Mr. Learoyd at the house of the voter Tinker on the polling day, and denies the statement that the latter received any money from Mr. Learoyd, 7039-7047. 7075 *et seq.*——Circumstances under which witness first gave information as to the evidence which he was in a position to give in the case of Tinker; corrupt offer made to him by Mr. Lord, of Huddersfield, to give evidence on the part of the petition, 7048-7074.

Messengers. Employment of witness as a runner by Mr. Tom Learoyd, for which he received 10 *s.* a day for four days and 1 *l.* for the last day, *Smith* 1702-1714 —— Particulars as to witness having been canvassed by Thomas Dean, on behalf of Mr. Crosland, and having been subsequently employed as a messenger and watcher by Mr. Tolson, *Gibson* 1864 *et seq.*——Statement as to witness having been engaged by Mr. William Crosland to act for a week as messenger, and as to the payment having been fixed at 7 *s.* a day, *Hutchinson* 2052, *et seq*——How far witness can be said to have rendered any services in his capacity of messenger, *ib.* 2101-2119. 2183-2225.

Appointment by witness of the door-keepers and messengers, *Robinson* 8385-8387.

See also *Hoyle, William.* *Hutchinson, James.*

Military. Arrival of the military from Manchester on the polling day, *Hannan* 7244-7248 ——Reference to the sending for the military as a very salutary act, though their services were not actually called into requisition, *ib.* 7322-7326.

Milnes, Henry. (Analysis of his Evidence.)—Employment of witness by Mr. Joseph Cliff as a night-watcher, 6114-6121——Particulars as to the proceedings of witness as watchman, with reference more especially to the case of a voter named Charles Sunderland, whom witness and two or three others looked after, 6122 *et seq.*

Milnes, Matthew. (Analysis of his Evidence.)—Information in connection with the employment and payment of witness and several others as watchmen on the side of Colonel Crosland, 5878, *et seq*——Statement as to witness having received some money from a person whom he did not know, but who was probably Mr. John Crosland; he does not recollect the precise sum, 5942-5976.

Further statement showing that it was not Mr. John Crosland who gave witness the money, 7126——Denial that since he has been in London witness has been in communication with anyone connected with Mr. Learoyd or Colonel Crosland in regard to the present inquiry, 7127-7147.

Mitchell, Charles William. (Analysis of his Evidence.)—Evidence in detail, and cross-examination thereon, in denial of the statement that witness gave any money to William Richardson, either at the "Fly Boat Inn," or anywhere else, 7552 *et seq.*

Moore, Hugh. (Analysis of his Evidence.)—Statement as to witness, who is a serjeant of police at Hudderfield, having gone to the house of the voter Tinker on the polling day, in order to protect him from a crowd of people who were shouting for him to vote for Mr. Leatham, 6965-6984——Circumstances under which Mr. Nehemiah Learoyd subsequently went to Tinker's house; denial that on this occasion Mr. Learoyd gave Tinker any money, 6971-7038.

N.

Naylor, Thomas. Witness and a man named John Parish went to the "George Hotel" on the nomination night, when it was arranged that witness was to watch the house of Thomas Naylor, a voter, *Stanley* 4828-4845——Particulars as to witness, John Parish, and George Woodhouse, having gone to Naylor's house on the nomination day, and as to Naylor having eventually gone away in a cab with Parish and Woodhouse, after they had all been drinking together, *ib.* 4846-4897 —— Naylor made no difficulty or objection about going away, *ib.* 4890. 4927-4930.

Witness was canvassed by both sides, and said he should vote for Leatham, if he voted at all, *Naylor* 4931-4933——Statement as to witness having been taken to the "Albion Inn," early on the nomination day by George Woodhouse and two others, where witness had some whisky, after which he agreed to go for a ride in a cab, *ib.* 4934-4964—— Woodhouse accompanied witness in the cab, having received on starting three or four sovereigns from a man named John Parish, *ib.* 4963-4970.

Details

Evidence, 1866—*continued.*

Naylor, Thomas—continued.

Details relative to the journey taken by witness with Woodhouse from the nomination morning until the afternoon of the polling day, when they returned to Huddersfield, witness having had a good deal of drink during the time, for which Woodhouse paid, *Naylor* 4976. 5090–5101 *et seq.*——It was near four o'clock when witness and Woodhouse got back to Huddersfield, and as there was a large majority for Crossland, witness said it was no use his going to the poll, *ib.* 5074–5087.

Particulars as to witness, who is a cabman at Huddersfield, having driven Naylor and others from the "Albion Hotel," to different places on the nomination morning; Naylor, as well as the others, went voluntarily, *Northrop* 5108–5144——Witness, who is owner of the cab in which Woodhouse and Northrop were driven from the "Albion," sent in a bill for it to Mr. Learoyd, who refused to pay it, *Mellor* 5145–5173.

Non-electors. Information relative to certain committee meetings of non-electors on behalf of Mr. Crossland, the persons who attended, supply of drink, &c., *Tillotson* 5221–5273. 5431–5433. 5459–5471——Until the present inquiry, witness never heard of any meetings, or committees of non-electors, on his behalf, *Crosland* 6603–6612.

North, John. (Analysis of his Evidence.)—Information in connection with a certain room at the "George Hotel," which witness concludes was Mr. Crosland's committee-room; names of several persons seen by witness to go in and out of this room, 3923–3990.

O.

Oldroyd, Adam. Details as to Mr. Learoyd having asked witness to get away from Huddersfield to Derby a voter of the name of Adam Oldroyd, who was a supporter of Mr. Leatham; promise by Mr. Learoyd to pay the expenses in the matter, *Wright* 16 *et seq.*

Inaccuracy of the statement that witness offered to pay the expenses of bringing the voter Oldroyd from Derby; particulars of witness's conversation with Mr. Wright about Oldroyd, *N. Learoyd* 8651–8656.

P.

Police. Additional police obtained from Halifax and Bradford, on account of the disturbances apprehended, *Hannan* 7181–7186.

See also *Riots and Disturbances.*

Popular Candidate. The non-electors and the mob were strongly opposed to Mr. Crosland, but he was the popular candidate with the respectable people, *Hannan* 7170, 7171. 7319–7321.

R.

Requisition to Colonel Crosland. Influential requisition to Colonel Crosland to come forward as a candidate on the retirement of Mr. Ackroyd, *N. Learoyd* 8848–8550.

Richardson, Joseph Brooke. Information relative to the receipt of money by witness from J. B. Richardson, for the payment of watchmen, *Tillotson* 5179-5220. 5274-5283. 5446–5458——Richardson, who was a non-elector, is now dead, *ib.* 5427–5430.

Witness never authorised Joseph Brooke Richardson to perform any act for him during the election: belief that Richardson was not a voter, *Crosland* 6613-6617.

Richardson, William. Conversation between C. W. Mitchell and William Richardson, formerly landlord of the "Fly Boat," relative to the vote of the latter, *Browne* 1372–1390——Details as to witness having on the nomination day secreted himself in a room at the "Fly Boat," where he saw Mitchell give Richardson 3 *l.*, for which the latter was to vote for Mr. Crosland, *ib.* 1391–1425——Richardson had promised to support Mr. Leatham, but he polled for Mr. Crosland, *ib.* 1426–1430——Cross-examination relative to the statement as to witness having heard Mitchell offer Richardson 3 *l.* for his vote, and having also seen the money given; antecedents of witness adverted to hereon, *ib.* 1431 *et seq.*

Evidence in corroboration of a portion of the statement of Henry Browne, that is as to Mitchell and Richardson having been alone in a room at the "Fly Boat," on the nomination day; witness, however, is not cognisant of any money having been given by Mitchell, *Mary Richardson* 1570–1625.

Circumstance under which William Richardson told witness that he had been paid for changing his opinions at the election, whilst he produced a sovereign to pay for something at witness's shop, *Bolland* 1626 *et seq.*

Evidence, 1866—*continued.*

Richardson, William—continued.

Evidence in detail, and cross-examination thereon, in denial of the statement that witness gave any money to William Richardson, either at the "Fly Boat Inn," or anywhere else, *Mitchell* 7552, *et seq.*

Witness positively denies the statements of Henry Browne and William Bolland; he never received, in fact, any money or any promise from Mitchell in respect of his vote, *Richardson* 7630 *et seq.*

Riots and Disturbances. Great disturbance and riot on the polling day, so that the military were sent for, whilst the police were called out in increased numbers, *Crosland* 6493–6503——Interference with some of witness's voters on the nomination day, *ib.* 6496, 6497——With regard to open-air meetings held by witness there was great disturbance and uproar, but witness never knew that men were employed on his behalf to shout, &c., *ib.* 6544–6558.

Good ground for the apprehension of disturbances at the late election, *Hannan* 7150–7163——Violence displayed by the people at some meetings of Colonel Crosland's supporters, *ib.* 7164–7169——Evidence showing the very disturbed state of the town on the nomination day and night, and the election day, *ib.* 7187 *et seq.*——Large mob in front of the "George" on the night before the polling; violence displayed by them, *ib.* 7214–7244.

Several instances of the supporters of Colonel Crosland having been maltreated and injured by the mob on the polling day, *Hannan* 7255–7257. 7312–7318——Great difficulty in keeping the streets clear for the cabs conveying Colonel Crosland's supporters to the poll, *ib.* 7258–7260. 7278–7297——Witness and many of the police were repeatedly struck with stones, which were freely used by the mob, *ib.* 7261–7268. 7300–7311. 7327, 7328——Great forbearance shown by the police, *ib.* 7272, 7273——Necessity of reading the Riot Act, after which the people were quieter, *ib.* 7274–7277——Serious injuries inflicted on Mr. Nehemiah Learoyd, *ib.* 7316–7318.

The town was in a very excited state, and stones were freely pelted not only at the voters but at the police, *Cobb* 7336–7344——Violence displayed by the mob at witness's warehouse, so that he had to go to the police for protection, *Waller* 7369–7377——Considerable disturbance apprehended previous to the election, *T. Learoyd* 8143–8146.

Details as to the very excited state of the town as the day of election approached, and as to the riotous and violent conduct of the crowd on the nomination and polling days, *N. Learoyd* 8568 *et seq.*——Violence and injuries inflicted upon witness on the nomination and election days, so that he was in a very dangerous and precarious condition for a long time afterwards, *ib.* 8595–8598. 8618–8627. 8650.

Robinson, Thomas. (Analysis of his Evidence.)—Witness and Mr. Nehemiah Learoyd were joint solicitors to Colonel Crosland's committee at the election, 8383, 8384——Appointment by witness of the door-keepers and messengers, 8385–8387——Meeting of the committee twice a week, the attendance being restricted to the regular members of the committee, the secretary, and solicitors, 8388–8390. 8423, 8424.

Particulars relative to the employment and payment of James Hutchinson as messenger; it is positively false that witness said anything to him about his vote, 8392–8426——It was only quite recently that witness became aware that Hutchinson was a voter, 8404, 8405. 8412. 8421——Witness has been engaged for twenty-five years in elections, and never yet attempted to exercise undue influence, 8411. 8414.

Roebuck, John. Witness was canvassed for Mr. Crosland and Mr. Leatham, and promised his vote to the latter, *Roebuck* 4660–4674——Promises of money held out to witness on several occasions by William Calverley, if he would vote for Crosland, *ib.* 4675–4694——Details as to the proceedings of Calverley and witness on the nomination day, and as to witness having been driven off to Bradford after he had been well primed with drink, *ib.* 4695–4763.

Statement as to witness and Calverley having slept at Bradford on the nomination night, and having returned to Huddersfield on the polling morning, *Roebuck* 4758–4788——Refusal of witness to vote for Crosland, as requested by Calverley, whereupon witness was detained at the "New Inn" by some of Crosland's people, so that he could not vote at all, *ib.* 4789–4804——Active part taken in the election by Calverley on behalf of Mr. Crosland, *ib.* 4805–4808.

Statement that Calverley, though a neighbour of witness, is not a friend of his, nor are they intimately acquainted, *Roebuck* 4809–4817.

S.

Shaw, Benjamin. (Analysis of his Evidence.)—Statement as to James Fawcett having received a 50 *l.* note, and some other notes in envelopes, at the time of election, and as to his having voted for Crosland, though he had previously been a supporter of Leatham, 4349–4374——Explanation as to witness having by mistake voted at the last election for the county, 4375–4384.

Shaw,

Evidence, 1866—*continued.*

Shaw, Charles. Inducements held out to witness by Mr. Dyson Taylor to get his brother Charles Shaw to come from Liverpool to Huddersfield to vote for Colonel Crosland, or else to remain at Liverpool and not vote at all, *D. Shaw* 3494–3501. 3506–3524.

Witness denies having asked Shaw to go to Liverpool for his brother (who was also a voter), but suggested that he might write to his brother, and said he should have a a railway pass, *Taylor* 7902–7908. 7924–7936.

Shaw, David. Statement as to Mr. Dyson Taylor having promised witness "something handsome" if he would vote for Crosland, *D. Shaw* 3477–3493. 3534–3563——Witness voted for Leatham, and got nothing from Mr. Dyson Taylor, *ib.* 3502–3504.

Witness denies having said to David Shaw that he would give him something handsome after the election, if he would vote for Colonel Crosland; he did, however, canvass Shaw for his vote, *Taylor* 7890–7901. 7909 *et seq.*

Smith, Joseph. Canvass of witness by Thomas Dean for Mr. Crosland, witness, however, stating that he should vote for Mr. Leatham, *Smith* 1693–1701——Employment of witness as a runner by Mr. Tom Learoyd, for which he received 10 *s.* a day for four days, and 1 *l.* for the last day, *ib.* 1702–1714——Statement as to witness having been taken to the "George Hotel," on the Monday before the election, and as to Mr. Tom Learoyd having there offered him 5 *l.* if he would vote for Mr. Crosland, saying at the same time "We are not exact to a pound or two," *ib.* 1715–1743.

Mr. Learoyd gave witness 10 *s.* at the "George Hotel," after which witness ran away and did not vote at all, *Smith* 1730–1749——Witness had some ale at the "George" for which he was not asked to pay, *ib.* 1750–1754——Cross-examination in detail upon the foregoing evidence; investigation also into the general character and antecedents of witness as affecting the value of his evidence, *ib.* 1755 *et seq.*

Attendance of witness at several meetings of Mr. Crosland's friends at Sheepridge, *Smith* 5472–5490——Statement as to witness having gone with John Tillotson to the New Mill Dam at Wakefield two days before the election, the expenses having been chiefly paid by Tillotson, *ib.* 5491–5521. 5538——Witness agreed to go with Tillotson, and always intended before he went to vote for Crosland, *ib.* 5497–5500. 5539–5545——On his return to Huddersfield on the polling day, witness voted for Crosland, *ib.* 5533–5537.

Examination in detail as to witness having gone with Joseph Smith to Wakefield a day or two before the election, in order that Smith might be out of the way until the polling day; admission as to Smith's expenses having been paid by witness, who was reimbursed by Joseph Richardson, *Tillotson* 5294–5389——Smith left Huddersfield for Wakefield of his own accord, and had said before starting that he would vote for Mr. Crosland, *ib.* 5434–5444.

Denial that witness ever said to a man named Joseph Smith, that he should have 5 *l.* and that Mr. Crosland's side were not particular as to a pound or two; nor was there any arrangement or promise about Smith having 1 *l.* for the last day as watcher, *T. Learoyd* 8189–8198.

Sowerbritts, Eli. Witness is a printer at Huddersfield, *Sowerbritts* 3377——Statement as to Mr. Nehemiah Learoyd having asked witness several months before the election to support Mr. Crosland, and having promised to obtain for him a quantity of printing work if he would do so, *ib.* 3378–3390. 3472–3476——Canvass of Mr. Bygott, chemist, and witness by Mr. Crosland and Mr. Learoyd a few days before the nomination, but without success; remark by Mr. Learoyd on this occasion, that "other considerations" might move Bygott and witness, *ib.* 3395–3398. 3430–3440.

Denial that witness ever applied to Mr. Learoyd for the printing of the registration papers, *Sowerbritts* 3399–3418——Active part taken by witness in support of Mr. Leatham and of the petition against Mr. Crosland, *ib.* 3428, 3429. 3444–3460. 3468–3471.——Letter received by witness from Mr. Learoyd after the election, complaining of a report that he had held out inducements to witness to vote for Mr. Crosland; answer in reply thereto by witness, *ib.* 3441–3445. 3461–3465.

Contradiction given to the evidence of Sowerbritts; denial by witness that he held out any inducement whatever to him with reference to his vote, *N. Learoyd* 8657–8664.

Special Constables. Arrangement for swearing in 500 special constables, *Hannan* 7178, 7179——The special constables merely kept the barriers at the polling booths, *ib.* 7329, 7330.

Spencer, William. Non-attendance of Spencer when called as a witness on the part of the petition, *p.* 3.

Information relative to the steps taken by witness in serving Spencer with a Speaker's warrant, and in endeavouring more recently to ascertain where he is in order to procure his attendance before the Committee, *Burton* 101 *et seq.*

Evidence, 1866—*continued.*

Stanley, John. (Analysis of his Evidence.)—Statement relative to the employment and payment of witness as a watcher on the side of Mr. Crosland, 4821–4827. 4898–4911——Witness and a man named John Parish went to the "George Hotel" on the nomination night, when it was arranged that witness was to watch the house of Thomas Naylor, a voter, 4828–4845——Belief as to witness having seen Captain Learoyd at the "George;" witness received a card from some one bearing Captain Learoyd's private mark on it, 4834-4839. 4914–4926.

Particulars as to witness, John Parish, and George Woodhouse, having gone to Naylor's house on the nomination day, and as to Naylor having eventually gone away in a cab with Parish and Woodhouse, after they had all been drinking together, 4846-4897——Naylor made no difficulty or objection about going away in the cab, 4890. 4927-4930.

Sunderland, Charles. Statement as to witness having met Charles Hare, Charles Sunderland, and several others at the "Hereford Ox Inn" on the Tuesday before the election, and as to its having been arranged and recorded on paper, that Hare was to give Sunderland 45 *l.* for his vote for Mr. Crosland, *Rayner* 4385 *et seq.*

Particulars as to the proceedings of witness as watchman, with reference more especially to the case of a voter named Charles Sunderland, whom witness and two or three others looked after, *Milnes* 6122 *et seq.*

Witness positively denies having had any conversation, or made any agreement, with Charles Sunderland about his being paid for voting for Colonel Crosland, *Hare* 7949 *et seq.*

Entire inaccuracy of the statement that Mr. Hare and witness had a conversation a few days before the election about witness being paid a certain sum for his vote, *Sunderland* 7995–8016——Circumstances under which witness went to the "George Hotel" on the evening before the election, and stopped there all night, *ib.* 8017–8041.

Swift, John Henry. (Analysis of his Evidence.)—Witness never went to the house of the voter Broadbent at the time of the election, 7845-7852——Nor did witness go with Broadbent and his wife on the morning of the election to the "Sphinx Nest Inn," and order breakfast for them there, with directions to have it put down to Colonel Crosland's committee, 7853–7883.

T.

Taylor, Edwin. Statement as to witness having been offered, first, one sovereign, and subsequently two sovereigns, by Edwin Taylor, if he would vote for Mr. Crosland; refusal on the part of witness, *Dyson* 3565–3597.

Conversation between Dyson and witness relative to the vote of the former, when witness said, more in jest than earnest, that he could get him a sovereign for his vote for Mr. Crosland, *E. Taylor* 3598–3621——Circumstance of witness having subsequently received 2 *l.* from John Tillotson, and having offered 1 *l.* to Dyson, though he did not intend to give it him, *ib.* 3621–3623.

Taylor, Henry Dyson. Statement as to Mr. Dyson Taylor, brother-in-law of Colonel Crosland, having promised witness "something handsome" if he would vote for Crosland, *D. Shaw* 3477–3493. 3534–3563——Inducements held out to witness by Mr. Dyson Taylor to get his brother Charles Shaw to come from Liverpool to Huddersfield to vote for Colonel Crosland, or else to remain at Liverpool, and not vote at all, *ib.* 3494-3501 3506–3524——Witness voted for Leatham, and got nothing from Mr. Dyson Taylor, *ib.* 3502–3504.

Witness was a member of Colonel Crosland's committee, *H. D. Taylor* 7887, 7888——He denies having said to David Shaw that he would give him something handsome after the election if he would vote for Colonel Crosland; he did however canvass Shaw for his vote, *ib.* 7890–7901. 7909 *et seq.*——Witness denies also having asked Shaw to go to Liverpool for his brother (who was also a voter), but suggested that he might write to his brother, and said he should have a railway pass, *ib.* 7902–7908. 7924–7936.

Thomas, Josiah. Statement as to Josiah Thomas having bet witness a sovereign to a shilling that Mr. Crosland did not succeed, and a further sovereign that witness did not vote for him; witness was paid both sovereigns, *Gibson* 1943–1951.

Tillotson, John. (Analysis of his Evidence.)—Witness, who attends on a Speaker's warrant, was engaged at the election on the side of Colonel Crosland, 5174–5178——About 10 *l.* was given to witness by Joseph Brook Richardson, to be spent among non-voters to watch the opposite party, 5179-5220——Information relative to certain committee meetings of non-electors on behalf of Mr. Crosland, the persons who attended, supply of drink, &c., 5221–5273. 5431–5433. 5459–5471.

Receipt

Evidence, 1866—*continued.*

Tillotson, John. (Analysis of his Evidence)—*continued.*

Receipt by witness of 3 *l.* from Richardson after the election in addition to the 10 *l.* received before the election, 5274–5283——Witness did not see Richardson pay any money to Joseph Armitage at the time of the election, 5284–5293——Examination in detail as to witness having gone with Joseph Smith to Wakefield a day or two before the election in order that Smith might be out of the way until the polling day; admission as to Smith's expenses having been paid by witness, who was reimbursed by Joseph Richardson, 5294–5389.

Statement to the effect that witness does not know Mr. Charles Brook; nor was witness ever at the "George," 5390–5426——Richardson, who was a non-elector, is now dead, 5427–5430——Smith left Huddersfield for Wakefield of his own accord, and had said before starting that he would vote for Mr. Crosland, 5434–5444——Further explanation as to the probable amount received by witness from Richardson, 5446–5458.

Tinker, David. Witness, who keeps the "Turk's Head" beerhouse at Hudderfield, was canvassed on behalf of both candidates, and promised to vote for Mr. Leatham, *D. Tinker* 150–162——Statement as to Mr. Nehemiah Learoyd having come to witness's house on the polling day, and asked him to go at once to the "George" to see Mr. Crosland, *ib.* 163–195. 409–432——Great number of people drinking in witness's house when Mr. Learoyd was there; circumstance of his having ordered a gallon of ale for these, for which Mr. George Lambart paid, *ib.* 172–179. 398–408.

Evidence in detail, and cross-examination thereon, in denial of Mr. Learoyd having given witness seven sovereigns, or any other sum, when he called at his house on the polling day, *D. Tinker* 196 *et seq.*——False statement made by witness to Mr. Clough's clerk in regard to Mr. Learoyd having given him seven sovereigns; reasons assigned for making this statement, though there is not a word of truth in it, *ib.* 201 *et seq.*——After Mr. Learoyd had left, and before witness went to the poll, witness gave to his wife all the money he had received for the beer sold; the amount may have been 5 *l.* or 6 *l.*, *ib.* 268–290. 312–315——Promise of 20 *l.* to witness by Mr. Clayton if he would confess that he had received a bribe, *ib.* 335–346.

Evidence in detail to the effect that witness, as wife of David Tinker, saw the interview between him and Mr. Learoyd on the polling day, but did not see the latter give her husband any money, *Margaret Tinker* 517 *et seq.*——Explanation in regard to witness having received from her husband, before he went to the poll, some money which he had taken from customers during the morning; the amount was not seven sovereigns, *ib.* 554–569. 666–672——Circumstances under which witness made a false statement in Huddersfield as to her husband having received a bribe from Mr. Learoyd, *ib.* 572–591. 635–654. 662–665.

Statement as to witness having seen the interview between Mr. Learoyd and David Tinker, and having subsequently seen Tinker give seven sovereigns to his wife, which he told her to put away, *P. Flannagan* 673–752. 823–847——Inaccuracy of information given by witness at Huddersfield to the effect that he had seen Mr. Learoyd give money to Tinker, *ib.* 682–691. 752–822.

Witness was present at Tinker's beer-house on the polling day when Mr. Learoyd called, and states that he saw the latter take some sovereigns out of his pocket and give them to Tinker; particulars hereon. *Firth* 848–865—— Statement as to Mr. Samuel Fox Williams, the landlord of Tinker's house, having been with Mr. Learoyd, *ib.* 852–858. 881–883——Tinker told witness that he had got 7 *l.* from Mr. Learoyd, *ib.* 863–865 ——Cross-examination in regard to witness and others having crowded round and roughly used Mr. Learoyd at Tinker's; also upon the question whether witness's story of having seen money pass is not a fabrication altogether, *ib.* 868 *et seq.*

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